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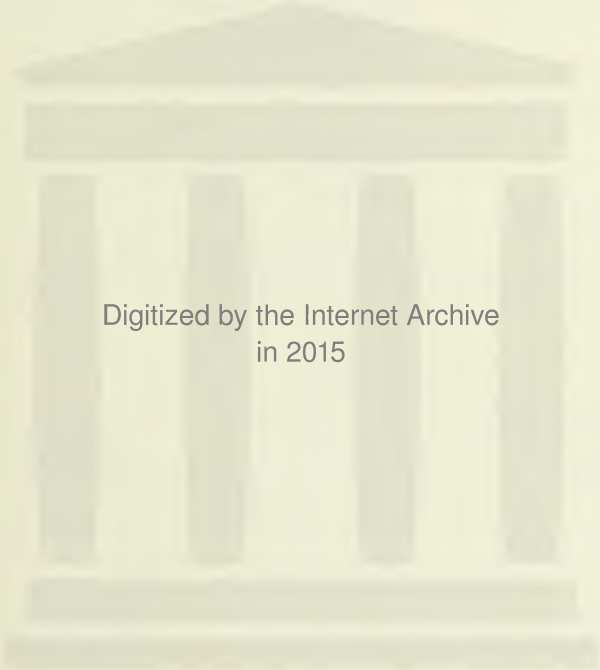

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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

AUG 15 2013

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Tuesday, September 4, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 11:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, Supervisors Kim and Mar were noted absent.

Supervisors Kim and Mar were noted present at 2:10 p.m.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Cohen, moved to approve the Board Meeting Minutes of July 10, 2012, July 17, 2012, and July 24, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from John Arntz, Director of Elections, certifying the referendum petition relating to 8 Washington Street Project - Zoning Map Amendment (Ordinance No. 104-12; File No. 120271), on August 1, 2012, further indicating the item is agendized for re-consideration pursuant to Charter Section 14.102 and California Elections Code Section 9115(f).

CONSENT AGENDA

Recommendation of the Budget and Finance Sub-Committee

120407 [Business and Tax Regulations, Police Codes - Parking Tax Exemption for Special Parking Events Operated by Volunteers on SFUSD Property]
Sponsors: Mayor; Mar, Wiener, Chiu, Farrell, Chu, Olague, Kim, Campos, Cohen and Avalos
Ordinance amending the San Francisco Business and Tax Regulations Code, Article 9, Section 604, and adding Section 608, to exempt a limited number of special parking events operated by volunteer led nonprofit organizations on SFUSD property for the sole benefit of San Francisco public schools and earning less than $10,000 in gross revenue per event from rent, from the requirement to pay parking tax and other requirements, establishing Special School Parking Event Permits issued by the Tax Collector and making findings; and amending the San Francisco Police Code, Section 1215 to exclude from the definitions of Parking Garage and Parking Lot special event parking on SFUSD property operated by a qualified nonprofit pursuant to a Special School Parking Event Permit, and establishing a sunset date.
(Fiscal Impact)

Ordinance No. 189-12

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

111047 [Administrative, Campaign and Governmental Conduct Codes - Obligations of Landlords and Small Business Tenants for Disability Access Improvements]
Sponsors: Chiu; Mar
Ordinance amending the San Francisco Administrative Code by adding Chapter 38, Sections 38.1 through 38.7, and amending San Francisco Campaign and Governmental Conduct Code Section 3.400, all to require commercial landlords leasing properties to small businesses for use as public accommodations to: 1) bring public restrooms, ground floor entrances to, and exits from, the building into compliance with applicable state and federal disability access laws or to disclose to tenants that the property may not currently meet all applicable construction-related accessibility standards, including standards for public restrooms and ground floor entrances and exits; 2) inform small business tenants that they may be legally and financially liable for failing to comply with those laws and offer such tenants copies of the Small Business Commission's access information notice; 3) include in any new or amended leases a provision addressing the respective obligations of the landlord and small business tenant to bring the leased premises into compliance with those access laws; 4) requiring the Small Business Commission, by January 1, 2013, to develop and distribute an access information notice in multiple languages regarding local, state, and federal disability access laws that may apply to businesses in San Francisco and to make that notice available for distribution through various other City departments; and 5) to require the City to give priority to building permit applications for work to bring space used by small businesses into compliance with those access laws; and making environmental findings.

Ordinance No. 187-12

FINALLY PASSED

120528 **[Administrative, Planning Codes - Historical Property (Mills Act) Contracts and Fee Reduction]**

Sponsor: Wiener

Ordinance: 1) amending the San Francisco Administrative Code, Chapter 71, entitled "Mills Act Contract Procedures" to: a) amend Section 71.2 to add limitations on eligibility, b) amend Section 71.3 to add application deadlines, c) amend Section 71.4 to add a time limit for receipt of the Assessor-Recorder's report, d) amend Section 71.5 to require use of a standard form contract, and e) adding new Section 71.7 to require departmental monitoring reports; 2) amending the San Francisco Planning Code Section 356 to reduce the application fee for Mills Act contracts; and 3) making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b).

Ordinance No. 190-12

FINALLY PASSED

120416 **[Joint Powers Agreement - California Rural Home Mortgage Finance Authority and Associate Membership]**

Sponsor: Mar

Resolution approving associate membership in the California Rural Home Mortgage Finance Authority and authorizing the Director of the Department of the Environment to execute the Joint Powers Agreement.

Resolution No. 320-12

ADOPTED

Recommendation of the Rules Committee

120668 **[Health Code - Reauthorizing Food Security Task Force]**

Sponsor: Mar

Ordinance amending the San Francisco Health Code by adding Sections 470.1 and 470.2 to: 1) to reauthorize the Food Security Task Force, which had expired on January 30, 2012; 2) create sunset provisions for the Food Security Task Force expiring on July 1, 2015, subject to extension; 3) indentify the agencies and organizations from which members are appointed; and 4) set the number of members, and making findings, including environmental findings.

Ordinance No. 191-12

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

120834 **[Findings - 601 Dolores Street - Approval with Different and Modified Conditions]**
Motion adopting findings supporting the Board of Supervisors decisions to: 1) disapprove the decision of the Planning Commission by its Motion No. 18604, approving Conditional Use Authorization identified as Planning Case No. 2011.0584CV on property located at 601 Dolores Street; and 2) approve conditional use on property located at 601 Dolores Street subject to the conditions set forth in Planning Commission Motion No. 18604, as modified by the Board of Supervisors on July 24, 2012, and subject to additional conditions imposed by the Board on July 24, 2012. (Clerk of the Board)

Motion No. M12-100

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120835 **[Findings - 3901-24th Street - Disapproving Conditional Use Authorization]**
Motion adopting findings supporting the Board's decision to disapprove the decision of the Planning Commission by its Motion No. 18648, approving Conditional Use Authorization identified as Planning Case No. 2011.1372C on property located at 3901-24th Street. (Clerk of the Board)

Motion No. M12-101

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Land Use and Economic Development Committee

111374 **[Planning Code - Creating a New Definition of Student Housing]**
Sponsor: Wiener

Ordinance amending the San Francisco Planning Code by: 1) adding a new Section 102.36 to create a definition of Student Housing; 2) amending Section 124 to create a new subsection (k), to permit additional square footage above the floor area ratio limits for student housing projects in buildings in the C-3-G and C-3-S Districts, that are not designated as significant or contributory pursuant to Article 11; 3) amending Section 135(d)(2) to adjust the minimum open space requirements for dwelling units that do not exceed 350 square feet, plus a bathroom; 4) amending Section 207.6(b)(3) to exempt student housing from the unit mix requirement in RTO, NCT, DTR and Eastern Neighborhoods Mixed Used Districts; 5) amending Section 307 to permit the conversion of student housing into residential uses, when certain conditions are met; 6) amending Section 312 to require notice for a change of use to group housing; 7) amending Section 317 to prohibit the conversion of residential units into student housing, except in specified circumstances; 8) amending Section 401 to make conforming amendments; 9) amending Section 415.3 to make conforming amendments and to simplify the monitoring responsibilities of the Mayor's Office of Housing; 10) amending Tables 814, 840, 841, 842, and 843 to make conforming amendments; and 11) making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. (Planning Department)

Ordinance No. 188-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendation of the Government Audit and Oversight Committee

120672 **[Police Code - Allowing Dogs to be Fastened to Lamp Post, Hydrant, or Tree; Repealing Outdated Code Provisions]**
Sponsor: Wiener

Ordinance amending the San Francisco Police Code by: 1) repealing Sections 875, 876, 924 through 929, 973, 1500, and 1501; and 2) amending Section 585 to exempt dogs on a leash from the prohibition against fastening an animal to a lamp post, hydrant, or growing tree.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

From the Government Audit and Oversight Committee Without Recommendation

120671 [Police Code - Secondhand Dealer and Antique Dealer Permit Requirements]
Sponsor: Wiener

Ordinance amending the San Francisco Police Code by: 1) repealing Sections 850, 851, 852, 1276, 1279, 1279.1, 1279.2, 1280, 1280.1, 1281, and 1282; and 2) amending Sections 2.26 and 2.27 to eliminate the permit requirement and other local regulation of secondhand dealers and antique dealers.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Ordinance amending the San Francisco Police Code by: 1) repealing Sections 850, 851, 852, 1276, 1279.2, 1280, 1280.1, and 1281 to eliminate certain requirements for Secondhand and Antique Dealers; and 2) amending Sections 1279, 1279.1, and 1282 to modify the Secondhand Dealer permit requirement; and 3) amending Section 2.26 to set the permit application fee for a Secondhand Dealer permit at $200.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee

120475 [Planning Code and Zoning Map - Chinese Hospital Special Use District]
Sponsors: Chiu; Mar

Ordinance amending the San Francisco Planning Code by adding Section 249.69 to create the Chinese Hospital Special Use District for the properties at 835 and 845 Jackson Street (Assessor's Block No. 0192, Lot No. 041) to facilitate development of the Chinese Hospital Replacement Project; amending Sectional Maps ZN01, HT01, and SU01 of the San Francisco Zoning Map to reflect the Chinese Hospital Special Use District; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120753 [General Plan Amendment - Chinese Hospital Special Use District]
Sponsors: Chiu; Mar

Ordinance amending the San Francisco General Plan Policy 1.2 and Map 1 of the Chinatown Area Plan to facilitate development of the Chinese Hospital Replacement Project at 835 and 845 Jackson Street (Assessor's Block No. 0192, Lot No. 041); and creating findings, including environmental findings and findings of consistency with the General Plan and Planning Code sections 101.1 and 340. (Planning Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120717 **[Health, Business and Tax Regulations Codes - On-Site Water Reuse for Commercial, Multi-Family, and Mixed-Use Developments]**
Sponsors: Chiu; Mar
Ordinance amending the San Francisco Health Code by adding Article 12C and amending the San Francisco Business and Tax Regulations Code by adding Section 249.24 to: 1) establish permitting requirements for the use of alternate water sources for nonpotable applications; 2) setting permit and annual fees; and 3) making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 2:30 P.M.

120262 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review - 1100 Lombard Street]**
Hearing of persons interested in or objecting to the decision of the Planning Department's determination dated February 3, 2012, that a project located at 1100 Lombard Street (Building Permit Application No. 2012.02.03.3472) is exempt from environmental review under the California Environmental Quality Act. The proposal would create a new firewall on the 1100 Lombard Street property (Assessor's Block No. 0069, Lot No. 081). (District 2) (Appellant: Christa Shaw on behalf of the John Sperling 1994 Irrevocable Trust, owner of 2323 Hyde Street) (Filed March 20, 2012). (Clerk of the Board)

The President indicated receipt of a letter from the Appellant, dated September 4, 2012, withdrawing their appeal. The President inquired as to whether any member of the public wished to address the Board. Jim Roberts (Project Sponsor); spoke in support of the project. Walter Paulson; shared in song certain concerns. Ernestine Weiss; expressed concerns relating to cross streets. Ray Hartz; expressed various concerns. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

120263 **[Affirming the Exemption Determination - 1100 Lombard Street]**
Motion affirming the determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review. (Clerk of the Board)

Motion No. M12-102

Supervisor Farrell, seconded by Supervisor Chu, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120264 **[Reversing the Exemption Determination - 1100 Lombard Street]**
Motion reversing the determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120265 [Preparation of Findings Related to the Exemption Determination - 1100 Lombard Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the exemption determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 2:30 P.M.

120781 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 2853-2857 Broderick Street]

Hearing of persons interested in or objecting to the decision of the Planning Department's determination dated July 3, 2011, that a project located at 2853-2857 Broderick Street (Case No. 2010.0394E) is exempt from environmental review under California Environmental Quality Act (CEQA), Class 1 (State CEQA Guidelines Section 15301(e)(1)). The proposed project involves raising the building by approximately three feet to insert a garage at ground level, expanding the ground floor level and creating a new curb cut. The subject property is located in the RH-2 (Residential, House, Two-Family) Zoning District and a 40-X Height and Bulk District, Assessor's Block No. 0947, Lot No. 002. (District 2) (Appellant: Kate Polevoi on behalf of various appellants) (Filed July 10, 2012). (Clerk of the Board)

The President indicated receipt of a letter from the Appellant, dated September 4, 2012, withdrawing their appeal. The President inquired as to whether any member of the public wished to address the Board. Male Speaker (Appellant); spoke in support of the project. Walter Paulson; shared in song certain concerns. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

120782 [Affirming the Exemption Determination - 2853-2857 Broderick Street]

Motion affirming the determination by the Planning Department that a project located at 2853-2857 Broderick Street is exempt from environmental review. (Clerk of the Board)

Motion No. M12-103

Supervisor Farrell, seconded by Supervisor Chu, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120783 [Reversing the Exemption Determination - 2853-2857 Broderick Street]

Motion reversing the determination by the Planning Department that a project located at 2853-2857 Broderick Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120784 **[Preparation of Findings Related to the Exemption Determination - 2853-2857 Broderick Street]**
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that a project located at 2853-2857 Broderick Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

120876 **[Hearing - Zoning Map Amendment - 8 Washington Street Project]**
Hearing of persons interested in or objecting to repealing an Ordinance (File No. 120271): 1) amending Sheet HT01 of the Zoning Map of the City and County of San Francisco to change the height and bulk district classification of two areas along the Drumm Street frontage of the property located at Assessor's Block No. 0201, Lot No. 012 (8 Washington Street), from 84-E to 92-E in one area and to 136-E in another area; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to the referendum of File No. 120271.
Louise Renne; Eric Nath; Irene Glassgold; Lee Radner; Ray Hartz; Janet Lautenberger; Debra Benedict; Joe Butler; Andrew Resignato; Linda Chapman; Mark Bruno; Tom Gilberty; Walter Paulson; Ernestine Weiss; Charles Stultman; Bobby Coleman; Sue Hestor; Francisco Da Costa; David Elliott Lewis; spoke in support of repealing the Ordinance and expressing various concerns. Carrie Byles; Sara Doran; Danielle McGuire; Benjamin Damron; Kye Archuleta; Janine Moss; Roger Wong; Manuel Rodriguez; Byron Foote; Stewart Morton; Brendon Culligan; Nick Pesakian; Patrick O'Sullivan; Sarah Stoggi; Tim Colen; Eric Cole; Andrew Devine; Thomas Bunkley; Adrienne Cebee; Russ Sturgis; Andy Hammel; Ted Easley; Male Speaker; Karla Fernandez; Alan Mark; Jim Chapel; spoke expressing various concerns in opposition of repealing the Ordinance. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

Referendum Reconsideration

120271 **[Zoning Map Amendment - 8 Washington Street Project]**
Ordinance: 1) amending Sheet HT01 of the Zoning Map of the City and County of San Francisco to change the height and bulk district classification of two areas along the Drumm Street frontage of the property located at Assessor's Block No. 0201, Lot No. 012 (8 Washington Street), from 84-E to 92-E in one area and to 136-E in another area; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Commission)

NOT REPEALED by the following vote:

Ayes: 3 - Avalos, Campos, Chiu
Noes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Angela Calvillo, Clerk of the Board, indicated that the Ordinance had not been repealed and that she would notify the Department of Elections to place the matter on the next municipal or statewide election for consideration by the voters, pursuant to Charter Section 14.102.

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Olague, seconded by Supervisor Mar, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Olague introduced, welcomed, and presented a Certificate of Honor to Leela Gill of District 5 in recognition of her accomplishments and continued community support.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Vladimar Prikupets of District 1 in recognition of his accomplishments and continued community support on the occasion of his 80th birthday.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Walter Paulson; shared in song certain concerns with the Board.
Ray Hartz; expressed concerns relating to government (See additional information submitted on Page 625.).
Eugene Gordon, Jr.; expressed various concerns.
Jim Salinas, Sr.; spoke regarding the Carpenter's Union Workers.
Debra Benedict; expressed concerns relating to bicycles on City sidewalks.
Ernestine Weiss; expressed various concerns.
Francisco Da Costa, expressed various concerns relating to the Sunshine Ordinance Task Force.
Peter Whitley; expressed various concerns relating to taxi surveys and service.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120821 **[Establishment and Enforcement of Labor Compliance Program for Proposition 84 - Funded Public Works Projects]**
Sponsor: Wiener
Resolution finding that the City and County of San Francisco, through its Office of Labor Standards and Enforcement, has established, and will enforce a project-specific Labor Compliance Program, in accordance with the requirements of Labor Code Section 1771.5(b), for all public works projects funded in any part from a Proposition 84 (2006 Safe Drinking Water Bond Act) Grant.

Resolution No. 321-12

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

120353 [Planning Code - Mechanical Car Wash Facilities on 19th Avenue]
Sponsors: Olague; Chu and Elsbernd
Ordinance amending the San Francisco Planning Code by adding Section 187.2 to permit existing gasoline and service stations located on 19th Avenue to provide a mechanical car wash on the same site; making environmental findings and findings of consistency with the General Plan.

04/10/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/10/2012

04/16/12; REFERRED TO DEPARTMENT.

04/25/12; RESPONSE RECEIVED.

07/16/12; RESPONSE RECEIVED.

09/04/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

120523 [Planning Code - Transit Impact Development Fee Increase and Updates]
Sponsors: Mayor; Wiener and Olague
Ordinance amending the San Francisco Planning Code, Article 4, by: 1) revising and making technical corrections to specified definitions in Section 401 relating to the Transit Impact Development Fee (TIDF); 2) amending Sections 402, 408, 411 through 411.5, 411.7, 411.8, and adding a new Section 411.9 to increase TIDF rates, revise exemptions and credits, and clarify TIDF implementation and collection; and 3) making environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

05/15/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/14/2012

05/23/12; REFERRED TO DEPARTMENT.

05/25/12; RESPONSE RECEIVED.

07/11/12; RESPONSE RECEIVED.

07/23/12; RESPONSE RECEIVED.

08/14/12; NOTICED.

09/04/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

120631 [Business and Tax Regulations, Police, and Planning Codes - Parking Tax Simplification for Residential Properties]

Sponsor: Wiener

Ordinance: 1) amending the San Francisco Business and Tax Regulations Code by adding Section 609 to establish Parking Tax Simplification for Residential Properties to relieve residential property owners and managers renting five or fewer parking spaces in Parking Stations physically attached to or otherwise associated with the building from the requirement to: (a) obtain a certificate of authority, (b) make monthly tax prepayments, (c) obtain a parking tax bond, and (d) provide amnesty from parking taxes, interest, penalties, and fees owed for tax periods more than 24 months prior to the effective date of the Ordinance; 2) amending the Business and Tax Regulations Code Section 2219.7 to exempt property owners and managers registered pursuant to Section 609 from the requirement to pay the Revenue Control Equipment compliance fee; 3) amending the Planning Code Section 204.5 to allow as an accessory use up to five dwelling unit parking spaces to be leased to persons living off-site anywhere in the City; 4) making conforming changes to the Planning Code Section 150(d); 5) amending the Police Code Section 1215 to eliminate the requirement to hold a commercial parking permit for property owners and managers registered pursuant to Section 609 of the Business and Tax Regulations Code; and 6) making environmental findings and findings of consistency with the general plan.

06/05/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/5/2012.

06/12/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

06/18/12; REFERRED TO DEPARTMENT.

06/21/12; RESPONSE RECEIVED.

07/24/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

08/01/12; TRANSFERRED to Budget and Finance Committee.

08/07/12; REFERRED TO DEPARTMENT.

08/15/12; RESPONSE RECEIVED.

09/04/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

120880 [Planning Code - Valencia Street Neighborhood Commercial Transit District]

Sponsor: Campos

Ordinance amending the San Francisco Code, Section 726.52, of the Zoning Control Table, for the Valencia Street Neighborhood Commercial Transit District to: 1) permit a personal service use on the third story and above with a Conditional Use Authorization; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and the Priority Policies of Planning Code Section 101.1.

09/04/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/4/2012.

120881 [Planning Code, Zoning Map - Uses, Conformity of Uses, Parking Requirements for Uses, and Special Use Districts]

Sponsor: Chiu

Ordinance amending the San Francisco Planning Code by repealing Section 158 and amending various other Code Sections to: 1) modify controls for uses and accessory uses in C and RC Districts; 2) eliminate minimum parking requirements for the Chinatown Mixed Use Districts, RC Districts, the Broadway and North Beach NCDs, and the Washington-Broadway SUD; 3) make maximum residential parking permitted in C-3 and RC Districts consistent with NCT Districts. 4) make maximum non-residential parking in RC Districts, Chinatown Mixed Use Districts, and Broadway and North Beach NCDs consistent with NCT Districts; 5) make surface parking lots a non-conforming use in C-3 Districts; 6) modify conformity requirements in various use districts. 7) modify streetscape requirements, public open space requirements, floor-area ratio calculations, and transportation management requirements for various uses in certain districts; 8) permit certain exceptions from exposure and open space requirements for historic buildings; 9) remove references to deleted Sections of the Code; 10) amend Sheet SU01 of the Zoning Map to consolidate the two Washington-Broadway SUDs and revise the boundaries; and 11) making environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

09/04/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/4/2012

120882 [Administrative Code - Board of Supervisors Review of Affordable Housing Trust Fund]

Sponsor: Chiu

Ordinance amending the San Francisco Administrative Code by adding Section 1.60 to require the Mayor's Office of Housing and the Planning Department to report to the Board of Supervisors every five years on the implementation of Charter Section 16.110, the Affordable Housing Trust Fund Charter Amendment.

09/04/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/4/2012

120883 [Planning Code - Establishing a Program to Monitor Student Housing Conversions]

Sponsors: Kim; Wiener

Ordinance amending the San Francisco Planning Code by: 1) adding a new Section 102.36.1 to establish an annual monitoring requirement for student housing conversions; and 2) making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

09/04/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/4/2012

Resolutions

120787 [Board Response - Civil Grand Jury Report - Surcharges and Healthy San Francisco: Healthy for Whom?]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2011-2012 Civil Grand Jury report entitled "Surcharges and Healthy San Francisco: Healthy for Whom?" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

09/04/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120793 **[Board Response - Civil Grand Jury Report - Where There's Smoke... The Need to Strengthen the Art Commission's Stewardship of San Francisco's Cultural Legacy]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2011-2012 Civil Grand Jury report entitled "Where There's Smoke... The Need to Strengthen the Art Commission's Stewardship of San Francisco's Cultural Legacy" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

09/04/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120840 **[Board Response - Civil Grand Jury Report - Deja Vu All Over Again: San Francisco's City Technology Needs a Culture Shock]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2011-2012 Civil Grand Jury report entitled "Deja Vu All Over Again: San Francisco's City Technology Needs a Culture Shock" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

09/04/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120842 **[Board Response - Civil Grand Jury Report - Better MUNI Service Needed, Without Switchbacks: An Investigation into the San Francisco Municipal Transportation Agency]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2011-2012 Civil Grand Jury report entitled "Better MUNI Service Needed, Without Switchbacks: An Investigation into the San Francisco Municipal Transportation Agency" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

09/04/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120844 **[Board Response - Civil Grand Jury Report - Investment Policies and Practices of the San Francisco Employees' Retirement System]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2011-2012 Civil Grand Jury report entitled "Investment Policies and Practices of the San Francisco Employees' Retirement System" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

09/04/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120884 **[Accept and Expend Grant - Self-Contained Breathing Apparatus Inventory - $1,514,184]**
Sponsor: Farrell
Resolution authorizing the San Francisco Fire Department to retroactively accept and expend a grant in the amount of $1,514,584 from the Federal Emergency Management Agency to upgrade and replace its self-contained breathing apparatus inventory.
(Fiscal Impact)

09/04/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120885 [Real Property Lease Amendment - General Assistance Services - 1235 Mission Street]

Sponsor: Kim

Resolution establishing rent and term for second extension; and confirming second sublease extension of a Lease with the San Francisco Unified School District for real property at 1235 Mission Street for the Human Services Agency for general assistance services.

09/04/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120886 [Purchase and Sale Agreement - Former Waller Street, from Laguna Street to Buchanan Street - Regents of the University of California]

Sponsor: Wiener

Resolution authorizing: 1) acceptance of a Purchase and Sale Agreement for former Waller Street, from Laguna Street to Buchanan Street; 2) acceptance of Restrictive Easement against former Waller Street as a condition of the sale; 3) adopting environmental findings and findings that the transaction contemplated is consistent with the San Francisco General Plan and the eight priority policies of the San Francisco Planning Code; and 4) authorizing the Director of Property, or designee, to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution.

09/04/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120887 [Gay and Lesbian Medical Association's 30th Annual Conference]

Sponsor: Campos

Resolution welcoming the Gay and Lesbian Medical Association's 30th Annual Conference participants.

09/04/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120888 [Approval of a 90-Day Extension for Planning Commission Review of Rezoning of 1111 Eighth Street (File No. 111278)]

Sponsor: Cohen

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 111278) that would amend the Planning Code by amending Sectional Map SU08 of the Zoning Map of the City and County of San Francisco and adding Planning Code Section 249.66 to: 1) establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts and provide a regulatory scheme for a potential future phased expansion of the campus; and 2) make environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

09/04/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120889 [Multifamily Housing Revenue Bonds - 1415 Mission Street]
Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to authorize the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $42,000,000 for a 121 unit residential rental housing development to be located at 1415 Mission Street; authorizing and directing the Director to request the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $42,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

09/04/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120890 [Multifamily Housing Revenue Bonds - 440 Valencia Street, Plaza Del Sol]
Sponsor: Wiener

Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $9,000,000 for 440 Valencia Street, Plaza del Sol; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $45,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $9,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

09/04/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120891 [Mission Playground Day - September 15, 2012]
Sponsor: Wiener

Resolution declaring September 15, 2012, as Mission Playground Day in the City and County of San Francisco to recognize the grand reopening of Mission Playground and commend the project team of the San Francisco Recreation and Park Department, Department of Public Works, and the City Fields Foundation for their hard work and commitment to the City and County of San Francisco and its residents.

09/04/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

120786 [Hearing - Civil Grand Jury Report - Surcharges and Healthy San Francisco: Healthy for Whom?]
Hearing on the recently published 2011-2012 Civil Grand Jury report entitled "Surcharges and Healthy San Francisco: Healthy for Whom?" (Clerk of the Board)

09/04/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120792 [Hearing - Civil Grand Jury Report - Where There's Smoke... The Need to Strengthen the Art Commission's Stewardship of San Francisco's Cultural Legacy]
Hearing on the recently published 2011-2012 Civil Grand Jury report entitled "Where There's Smoke... The Need to Strengthen the Art Commission's Stewardship of San Francisco's Cultural Legacy." (Clerk of the Board)

09/04/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120839 [Hearing - Civil Grand Jury Report - Deja Vu All Over Again: San Francisco's City Technology Needs a Culture Shock]
Hearing on the recently published 2011-2012 Civil Grand Jury report entitled "Deja Vu All Over Again: San Francisco's City Technology Needs a Culture Shock." (Clerk of the Board)

09/04/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120841 [Hearing - Civil Grand Jury Report - Better MUNI Service Needed, Without Switchbacks: An Investigation into the San Francisco Municipal Transportation Agency]
Hearing on the recently published 2011-2012 Civil Grand Jury report entitled "Better MUNI Service Needed, Without Switchbacks: An Investigation into the San Francisco Municipal Transportation Agency." (Clerk of the Board)

09/04/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120843 [Hearing - Civil Grand Jury Report - Investment Policies and Practices of the San Francisco Employees' Retirement System]
Hearing on the recently published 2011-2012 Civil Grand Jury report entitled "Investment Policies and Practices of the San Francisco Employees' Retirement System." (Clerk of the Board)

09/04/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120892 [Hearing - Memorandum of Understanding Between the San Francisco Unified School District and San Francisco Police Department]
Sponsor: Campos
Hearing on the Memorandum of Understanding between the San Francisco Unified School District and the San Francisco Police Department as requested by Commissioner Maufus.

09/04/12; RECEIVED AND ASSIGNED to City and School District Select Committee.

120893 **[Hearing - Reporting of Arrest Rates by Race by the San Francisco Police Department]**
Sponsor: Campos
Hearing on the San Francisco Police Department's current data collection practices relating to the race of arrestees. What is the current practice? What changes does the department plan to make? What racial or ethnic categories should SFPD use in order to collect data on individuals arrested by the department?

09/04/12; RECEIVED AND ASSIGNED to Public Safety Committee.

120894 **[Hearing - City Car-Sharing Programs]**
Sponsor: Cohen
Hearing on the status of current City car-sharing programs including: the on-street pilot program, one-way car-sharing programs, and evaluation of strategies to expand car-sharing to the Southeastern neighborhoods and other neighborhoods throughout the City that do not currently have a high volume of car-sharing.

09/04/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120830 **[Hearing - Post Redevelopment in the Western Addition]**
Sponsor: Olague
Hearing requesting presentations from Planning Department, the Oversight Board, and the Mayor's Office of Economic and Workforce Development regarding the status of programs and initiatives in the Western Addition, particularly on Fillmore Street, in the post Redevelopment Agency area.

09/04/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED ORDINANCES

120836 **[Settlement of Lawsuit - Saeed Ibrahim - $35,000.00]**
Ordinance authorizing settlement of the lawsuit filed by Saeed Ibrahim against the City and County of San Francisco for $35,000.00; the lawsuit was filed on February 17, 2011, in U.S. District Court, Case No. CV 11-1695-RS; entitled Saeed Ibrahim v. City and County of San Francisco, et al. (City Attorney)

08/09/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Rules Committee.

120837 [Settlement of Lawsuit - Lepakshi Nadh Jilakara - $40,000]
Ordinance authorizing settlement of the lawsuit filed by Lepakshi Nadh Jilakara against the City and County of San Francisco for $40,000; the lawsuit was filed on April 26, 2011, in San Francisco Superior Court, Case No. CGC-11-510513; entitled Lepakshi Nadh Jilakara, et al., v. City and County of San Francisco, et al. (City Attorney)

08/09/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Rules Committee.

120845 [Settlement of Lawsuit - Brian Navarro - $225,000]
Ordinance authorizing settlement of the lawsuit filed by Brian Navarro against the City and County of San Francisco for $225,000; the lawsuit was filed on March 1, 2011, in Brian Navarro vs. City and County of San Francisco, Case No.CGC-11-508644; entitled Brian Navarro, et al., v. City and County of San Francisco, et al.; other material terms of said settlement are material terms. (City Attorney)

08/16/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Rules Committee.

120846 [Settlement of Lawsuit - Fred Broussard - $125,000]
Ordinance authorizing settlement of the lawsuit filed by Fred Broussard against the City and County of San Francisco for $125,000; the lawsuit was filed on October 4, 2010, in the United States District Court for the Northern District of California, Case No. CV10-4997 WHA; entitled Fred Broussard, et al. v. City and County of San Francisco, et al. (City Attorney)

08/16/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Rules Committee.

120853 [Settlement of Lawsuit - Raymond Quinn - $75,000]
Ordinance authorizing settlement of the lawsuit filed by Raymond Quinn against the City and County of San Francisco for $75,000; the lawsuit was filed on February 16, 2012, in US District Court, Case No. CV-12-0766 DMR; entitled Raymond Quinn v. City and County of San Francisco, et al. (City Attorney)

08/16/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Rules Committee.

120854 [Settlement of Lawsuit - Brock Rasmussen - $175,000]
Ordinance authorizing settlement of the lawsuit filed by Brock Rasmussen against the City and County of San Francisco for $175,000; the lawsuit was filed on January 11, 2010, in San Francisco Superior Court, Case No. CGC-10-495963; entitled Brock Rasmussen v. City and County of San Francisco, et al. (City Attorney)

08/16/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Rules Committee.

120855 **[Settlement of Lawsuit - Yim Bing Kwong - $60,000]**
Ordinance authorizing settlement of the lawsuit filed by Yim Bing Kwong against the City and County of San Francisco for $60,000; the lawsuit was filed on October 27, 2010, in the United States District Court for the Northern District of California, Case No. C-10-4860, entitled Yim Bing Kwong v. City and County of San Francisco. (City Attorney)

08/16/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Rules Committee.

120856 **[Settlement of Lawsuit - James Wilson - $77,072.75]**
Ordinance authorizing settlement of the lawsuit filed by James Wilson, against the City and County of San Francisco for $77,072.75; the lawsuit was filed on February 20, 2007, in United States District Court, Case No. C-07-01016 PJH; entitled James Wilson, et al., v. City and County of San Francisco, et al. (City Attorney)

08/16/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

120838 **[Settlement of Claim - Adam Holm - $34,154.27]**
Resolution approving the settlement of the unlitigated claim filed by Adam Holm against the City and County of San Francisco for $34,154.27; claim was filed on April 30, 2012. (City Attorney)

08/09/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Rules Committee.

120860 **[Contract Amendment - En Pointe Technology Sales, Inc. - $54,150,000]**
Resolution authorizing the Office of Contract Administration to enter into the Fifth Amendment between the City and County of San Francisco and En Pointe Technology Sales, Inc., part of the Technology Store procurement vehicle, in which the amendment shall increase the contract limit from $38,490,000 to $54,150,000, exercise the second of two options to extend the contract by one year through December 31, 2013, and update standard contractual clauses. (Office of Contract Administration)
(Fiscal Impact)

08/24/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120861 **[Contract Amendment - Xtech - $67,890,000]**
Resolution authorizing the Office of Contract Administration to enter into the Fifth Amendment between the City and County of San Francisco and Xtech, part of the Technology Store procurement vehicle, in which the amendment shall increase the contract limit from $51,490,000 to $67,890,000, exercise the second of two options to extend the contract by one year through December 31, 2013, and update standard contractual clauses. (Office of Contract Administration)

08/24/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120862 [Contract Amendment - CCT Technologies, Inc., dba ComputerLand of Silicon Valley - $34,460,000]

Resolution authorizing the Office of Contract Administration to enter into the Third Amendment between the City and CCT Technologies, Inc., dba ComputerLand of Silicon Valley, part of the Technology Store procurement vehicle, in which the amendment shall increase the contract limit from $24,490,000 to $34,460,000, exercise the second of two options to extend the contract by one year through December 31, 2013, and update standard contractual clauses. (Office of Contract Administration)

08/24/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120863 [Contract Amendment - Increase Alliant Insurance Services - Not to Exceed $15,100,000]

Resolution authorizing the Director of the Risk Management Division of the Office of the City Administrator to amend its contract for insurance brokerage services with Alliant Insurance Services to increase the contract value by $7,500,000 for an amount not to exceed $17,000,000, pursuant to San Francisco Charter Section 9.118. (City Administrator)

08/27/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriam

Milton Marks III - Supervisor David Chiu
Nancy Blair - Supervisor Chiu
Catherine Baccari - Supervisors Sean Elsbernd and David Chiu
Ruth Shoenberg - Supervisor Sean Elsbernd
Julian Lowe - Supervisors Sean Elsbernd and Carmen Chu

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:16 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 23, 2012.

Angela Calvillo, Clerk of the Board

ADDENDUM

The following information are provided by speaker(s), pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information during Public Comment as follows: Even though they know and understand the law, both the letter and intent, this Board of Supervisors will ignore your rights to free speech, to petition for redress of grievance, and due process if it suits their purposes. An example is the Sunshine Ordinance. If you point out the law, they will ignore you. If you file a complaint, they will evade you. If you win your case, they will ignore that. If it's referred to the Ethics Commission, they will see it dismissed without hearing. If you win a case they really don't like, they will replace of SOTF members who took your side. If really upset, they will do what they need to do to shut down the process. This is not conjecture, is all a matter of public record. Bottom line: members of this BOS have no respect for the rule of law or your constitutional rights.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

AUG 15 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, September 11, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 11:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:11 p.m. On the call of the roll, Supervisor Mar was noted absent. There was a quorum.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of July 31, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener
Absent: 1 - Mar

Supervisor Mar was noted present at 2:16 p.m.

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

120895 [Formal Policy Discussions - September 11, 2012]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible question submitted by the Supervisor representing District 4. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. One of the areas you have emphasized is supporting economic growth directly in our neighborhoods. In March, we invited you to participate in a merchant walk on Taraval Street where you personally saw blocks with vacant storefronts and saw great opportunity for City investment in the public infrastructure. What specific physical improvements have your departments completed in the last six months on Taraval between 46th Avenue and the Great Highway? What specific actions has the Office of Small Business or the Office of Economic and Workforce Development taken in the last six months to reach out to property owners and prospective businesses on Taraval between 31st and 33rd Avenues to attract and encourage more vibrant merchant activity? (Supervisor Chu, District 4)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendation of the Government Audit and Oversight Committee

120672 [Police Code - Allowing Dogs to be Fastened to Lamp Post, Hydrant, or Tree; Repealing Outdated Code Provisions]
Sponsor: Wiener
Ordinance amending the San Francisco Police Code by: 1) repealing Sections 875, 876, 924 through 929, 973, 1500, and 1501; and 2) amending Section 585 to exempt dogs on a leash from the prohibition against fastening an animal to a lamp post, hydrant, or growing tree.

Ordinance No. 194-12

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

120475 [Planning Code and Zoning Map - Chinese Hospital Special Use District]
Sponsors: Chiu; Mar
Ordinance amending the San Francisco Planning Code by adding Section 249.69 to create the Chinese Hospital Special Use District for the properties at 835 and 845 Jackson Street (Assessor's Block No. 0192, Lot No. 041) to facilitate development of the Chinese Hospital Replacement Project; amending Sectional Maps ZN01, HT01, and SU01 of the San Francisco Zoning Map to reflect the Chinese Hospital Special Use District; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Ordinance No. 192-12

FINALLY PASSED

120753 [General Plan Amendment - Chinese Hospital Special Use District]
Sponsors: Chiu; Mar
Ordinance amending the San Francisco General Plan Policy 1.2 and Map 1 of the Chinatown Area Plan to facilitate development of the Chinese Hospital Replacement Project at 835 and 845 Jackson Street (Assessor's Block No. 0192, Lot No. 041); and creating findings, including environmental findings and findings of consistency with the General Plan and Planning Code sections 101.1 and 340. (Planning Commission)

Ordinance No. 193-12

FINALLY PASSED

120717 **[Health, Business and Tax Regulations Codes - On-Site Water Reuse for Commercial, Multi-Family, and Mixed-Use Developments]**
Sponsors: Chiu; Mar
Ordinance amending the San Francisco Health Code by adding Article 12C and amending the San Francisco Business and Tax Regulations Code by adding Section 249.24 to: 1) establish permitting requirements for the use of alternate water sources for nonpotable applications; 2) setting permit and annual fees; and 3) making environmental findings.

Ordinance No. 195-12

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the Government Audit and Oversight Committee Without Recommendation

120671 **[Police Code - Secondhand Dealer and Antique Dealer Permit Requirements]**
Sponsor: Wiener
Ordinance amending the San Francisco Police Code by: 1) repealing Sections 850, 851, 852, 1276, 1279.2, 1280, 1280.1, and 1281 to eliminate certain requirements for Secondhand and Antique Dealers; and 2) amending Sections 1279, 1279.1, and 1282 to modify the Secondhand Dealer permit requirement; and 3) amending Section 2.26 to set the permit application fee for a Secondhand Dealer permit at $200.

Supervisor Chiu, seconded by Supervisor Wiener, moved that this Ordinance be AMENDED on page 5, line 15, by adding 'but excluding jewelry and watches with a fair market value as a secondhand good of $40,00 or less' after 'watches'. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

120689 [Administrative Code - Aviation Support Services/Airport Leases]
Ordinance amending the San Francisco Administrative Code Section 2A.173 to authorize the Airport Commission to enter into leases with entities providing aviation support services without competitive bidding for a term not to exceed 10 years. (Airport Commission)
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120770 [Waiver of Temporary Street Space Occupancy Fee for the Ocean Avenue Festival]
Sponsor: Avalos
Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy as part of the Ocean Avenue Arts and Culture Festival on September 15, 2012.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120820 [Setting San Francisco's Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2012-2013]
Sponsor: Mayor
Ordinance providing revenue and levying property taxes at a combined rate of $1.1691 on each $100.00 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District, and establishing pass-through rate of $0.0810 per $100.00 of assessed value for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2013.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120776 [Real Property Lease - 10 Lombard Street, Roundhouse Two]
Sponsor: Chiu
Resolution approving Port Commission Lease No. L-15150 with Ammunition, LLC, a California Limited Liability Company, for office space located at 10 Lombard Street, Roundhouse Two, in the Northern Waterfront with a 52 month term.

Resolution No. 322-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120790 **[Real Property Lease - 124 Turk Street]**
Resolution authorizing the exercise of a ten year option to extend the Master Lease of the 14,700 square foot building at 124 Turk Street for the Department of Public Health for contract service providers to provide housing to homeless individuals, retroactively to August 1, 2012. (Real Estate Department)

Resolution No. 323-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120863 **[Contract Amendment - Increase Alliant Insurance Services - Not to Exceed $15,100,000]**
Resolution authorizing the Director of the Risk Management Division of the Office of the City Administrator to amend its contract for insurance brokerage services with Alliant Insurance Services to increase the contract value by $5,600,000 for an amount not to exceed $15,100,000, pursuant to San Francisco Charter Section 9.118. (City Administrator)

Resolution No. 324-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

From the Budget and Finance Committee Without Recommendation

120735 **[Master Lease Amendment - United States Navy - Treasure Island South Waterfront]**
Resolution approving the Twenty Eighth Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term to November 30, 2013. (Treasure Island Development Authority)

Privilege of the floor was granted to Mirian Saez (TIDA); Michael Carlin (PUC); Amy Brownell (DPH); Michael Tymoff (Mayor's Office); Bob Burns (NGTS Incorporated); who responded to questions raised throughout the discussion regarding File Nos. 120735, 120736, 120737, 120738, 120739, and 120740.

ADOPTED by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Resolution No. 325-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120736 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures]

Resolution approving the Thirty Seventh Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term to November 30, 2013. (Treasure Island Development Authority)

Privilege of the floor was granted to Mirian Saez (TIDA); Michael Carlin (PUC); Amy Brownell (DPH); Michael Tymoff (Mayor's Office); Bob Burns (NGTS Incorporated); who responded to questions raised throughout the discussion regarding File Nos. 120735, 120736, 120737, 120738, 120739, and 120740.

ADOPTED by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Resolution No. 326-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120737 [Master Lease Amendment - United States Navy - Treasure Island Marina]

Resolution approving the Sixteenth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term to November 30, 2013. (Treasure Island Development Authority)

Privilege of the floor was granted to Mirian Saez (TIDA); Michael Carlin (PUC); Amy Brownell (DPH); Michael Tymoff (Mayor's Office); Bob Burns (NGTS Incorporated); who responded to questions raised throughout the discussion regarding File Nos. 120735, 120736, 120737, 120738, 120739, and 120740.

ADOPTED by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Resolution No. 327-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120738 **[Master Lease Amendment - United States Navy - Treasure Island Childcare]**
Resolution approving the Eighth Amendment to the Treasure Island Childcare Master Lease between the Treasure Island Development Authority and the United States Navy extending the term to November 30, 2013. (Treasure Island Development Authority)

Privilege of the floor was granted to Mirian Saez (TIDA); Michael Carlin (PUC); Amy Brownell (DPH); Michael Tymoff (Mayor's Office); Bob Burns (NGTS Incorporated); who responded to questions raised throughout the discussion regarding File Nos. 120735, 120736, 120737, 120738, 120739, and 120740.

ADOPTED by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Resolution No. 328-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120739 **[Master Lease Amendment - United States Navy - Treasure Island Event Venues]**
Resolution approving the Twenty Fourth Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term to November 30, 2013. (Treasure Island Development Authority)

Privilege of the floor was granted to Mirian Saez (TIDA); Michael Carlin (PUC); Amy Brownell (DPH); Michael Tymoff (Mayor's Office); Bob Burns (NGTS Incorporated); who responded to questions raised throughout the discussion regarding File Nos. 120735, 120736, 120737, 120738, 120739, and 120740.

ADOPTED by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Resolution No. 329-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120740 **[Cooperative Agreement Modification - United States Navy - Treasure Island Development Authority]**

Resolution approving and authorizing the Treasure Island Development Authority to enter into a Modification of the Cooperative Agreement with the United States Navy to extend the Cooperative Agreement from October 1, 2012, to September 30, 2013. (Treasure Island Development Authority)
(Fiscal Impact)

Privilege of the floor was granted to Mirian Saez (TIDA); Michael Carlin (PUC); Amy Brownell (DPH); Michael Tymoff (Mayor's Office); Bob Burns (NGTS Incorporated); who responded to questions raised throughout the discussion regarding File Nos. 120735, 120736, 120737, 120738, 120739, and 120740.

ADOPTED by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Resolution No. 330-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Avalos, seconded by Supervisor Kim, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to Emil Deguzman on the occasion of his retirement from city service.

Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to Lily Haskell for her work as outgoing Executive Director of the Arab Resource and Organizing Center.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Ben Aymes, Human Services Agency employee for National Emergency Preparedness Month, and his work being a first-responder at the numerous fires, bomb threats and evacuations in District 6.

COMMITTEE REPORT

Recommendation of the Rules Committee

120871 **[Reappointment, Board of Appeals - Arcelia Hurtado]**
Motion approving/rejecting the President of the Board of Supervisors, Supervisor David Chiu's nomination of Arcelia Hurtado to the Board of Appeals, for the term ending July 1, 2016. (Clerk of the Board)
(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - August 29, 2012)

APPROVED by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Motion No. M12-104

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ROLL CALL FOR INTRODUCTIONS

Supervisor Campos was noted absent at 3:33 p.m. and noted present at 3:37 p.m.

See Legislation Introduced below.

PUBLIC COMMENT

Supervisor Farrell was noted absent at 4:15 p.m. and noted present at 4:20 p.m
Supervisor Elsbernd was noted absent at 4:29 p.m. and noted present at 4:33 p.m

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Female Speaker; expressed concerns relating to crimes in San Francisco.
Male Speaker; expressed various concerns.
Ray Hartz; expressed concerns relating to the SF Public Library. (See additional information submitted on Page 644.)
Vivian Imperiale; expressed support for Sheriff Ross Mirkarimi.
Pedro Fernandez; expressed support for Sheriff Ross Mirkarimi.
Eugene Gordon, Jr.; expressed various concerns.
Male Speaker; expressed various concerns.
Nancy Keiler; expressed support for Sheriff Ross Mirkarimi.
Walter Paulson; shared in song certain concerns with the Board.
Female Speaker; expressed support for Sheriff Ross Mirkarimi.
Douglas Yep; expressed various concerns.
Male Speaker; expressed support for Sheriff Ross Mirkarimi.
Tami Bryant; expressed support for Sheriff Ross Mirkarimi.
Male Speaker; expressed concerns regarding OccupySF.
Rosorio Cervantes; expressed support for Sheriff Ross Mirkarimi.
Peter Warfield; expressed various concerns.
Ace Washington; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120887 **[Gay and Lesbian Medical Association's 30th Annual Conference]**
Sponsor: Campos
Resolution welcoming the Gay and Lesbian Medical Association's 30th Annual Conference participants.

Resolution No. 334-12

ADOPTED

120888 **[Approval of a 90-Day Extension for Planning Commission Review of Rezoning of 1111 Eighth Street (File No. 111278)]**
Sponsor: Cohen
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 111278) that would amend the Planning Code by amending Sectional Map SU08 of the Zoning Map of the City and County of San Francisco and adding Planning Code Section 249.66 to: 1) establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts and provide a regulatory scheme for a potential future phased expansion of the campus; and 2) make environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Resolution No. 331-12

ADOPTED

120889 **[Multifamily Housing Revenue Bonds - 1415 Mission Street]**
Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to authorize the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $42,000,000 for a 121 unit residential rental housing development to be located at 1415 Mission Street; authorizing and directing the Director to request the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $42,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Resolution No. 332-12

ADOPTED

120890 **[Multifamily Housing Revenue Bonds - 440 Valencia Street, Plaza Del Sol]**
Sponsor: Wiener

Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $9,000,000 for 440 Valencia Street, Plaza del Sol; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $45,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $9,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Resolution No. 333-12

ADOPTED

120891 **[Mission Playground Day - September 15, 2012]**
Sponsor: Wiener

Resolution declaring September 15, 2012, as Mission Playground Day in the City and County of San Francisco to recognize the grand reopening of Mission Playground and commend the project team of the San Francisco Recreation and Park Department, Department of Public Works, and the City Fields Foundation for their hard work and commitment to the City and County of San Francisco and its residents.

Resolution No. 335-12

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

120898 [Successor Agency to the Former Redevelopment Agency]
Sponsors: Mayor; Kim, Cohen and Olague

Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco"; 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission. setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law.

09/11/12; ASSIGNED to Board of Supervisors.

120899 [Municipal Elections Code - Miscellaneous Amendments]
Sponsor: Kim
Ordinance amending the San Francisco Municipal Elections Code by amending Sections 100, 110, 200, 205, 220, 230, 260, 335, 500, and 590, and adding Section 810 to: 1) incorporate state law provisions governing Community College and Board of Education candidates; 2) change deadlines for withdrawal of candidacy and candidate qualification statements; 3) change the public inspection period for candidate materials; 4) change requirements for petition circulator badges; 5) delete the requirement that a disclaimer appear before Board of Supervisors' arguments in the Voter Information Pamphlet; 6) incorporate state law provisions governing signatures in lieu of filing fees; 7) reinstate candidate filing fee provisions; and 8) make other technical amendments.
09/11/12; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

120900 [Planning Code - Car Share Parking Spaces]
Sponsors: Wiener; Chiu
Ordinance amending the San Francisco Planning Code Section 166 to: 1) authorize owners of projects with residential units to elect to provide additional parking spaces for car-share use which will not count against any parking maximums; 2) allow the car-share spaces to be used for other permitted uses other than parking a motorized vehicle if a car-share organization chooses not to use the space; and 3) make environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
09/11/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

120901 [Planning Code - Upper Market Zoning]
Sponsor: Wiener
Ordinance amending the San Francisco Planning Code by amending Sections 721.1 and 733.1 to modify the explanation of the boundaries of the Upper Market Street Neighborhood Commercial District and the Upper Market Street Neighborhood Commercial Transit District, and making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

120902 [Planning Code, Zoning Map - Upper Market Zoning Map Amendment]
Sponsor: Wiener
Ordinance amending the San Francisco Planning Code Sectional Map Sheets ZN07 and HT07 to change the use classification of specified lots on Block No. 2623 and Block Nos. 3561 through 3565, now in the Upper Market Neighborhood Commercial District to the Upper Market Neighborhood Commercial Transit District, and to change the height and bulk classification of Block No. 3563, Lot No. 034 from 50-X to 65-B; and adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Resolutions

120903 [Approving Updated Security Provisions for America's Cup Lease Disposition Agreement]
Sponsor: Chu
Resolution approving revisions to the America's Cup Lease Disposition Agreement with respect to the security for certain obligations of the City; authorizing and directing the procurement of insurance coverage for the City's satisfaction of certain of such obligations; reaffirming the direction for ongoing staff progress reports as to the implementation of the America's Cup events; and authorizing related actions.
(Fiscal Impact)

120904 [Real Property Lease - 2650 Bayshore Boulevard - Towed Car Operations and Other Transit Related Uses]
Sponsor: Elsbernd
Resolution authorizing the lease of an approximate 12.72 acre property with 255,420 rentable square feet of warehouse, office and parking lot space at 2650 Bayshore Boulevard, Daly City, California, from Prologis, L.P. for a 20-year term, plus two five-year extension options, at an initial annual base rent of $2,449,642 with annual increases, for the San Francisco Municipal Transportation Agency's towed car operations and other transit related uses.

120905 [Accept and Expend Grant - Twin Peaks Trail System Improvements - $131,041]
Sponsor: Elsbernd
Resolution authorizing the Recreation and Park Department to accept and expend a Habitat Conservation Fund Grant in the amount of $131,041 from the California Department of Parks and Recreation for the Twin Peaks Trail System Improvements.

120906 [Approval of Amendment to the Construction Management Services Agreement for the Laguna Honda Hospital Replacement Program - $16,805,733]
Sponsor: Elsbernd
Resolution authorizing the Director of Public Works to execute an amendment to the construction management services agreement with Cooper Pugeda Management, Inc. for the Laguna Honda Hospital Replacement Program from $16,196,764 to $16,805,733.
(Fiscal Impact)

120907 [Accept and Expend Grant - South of Market Alleyways Improvement Project - $1,381,000]
Sponsor: Kim
Resolution authorizing the Department of Public Works to accept and expend a federal grant in the amount of $1,381,000 from the Metropolitan Transportation Commission for the South of Market Alleyways Improvement Project.

09/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120908 [Contract - New Flyer of America, Inc. - Low Floor Diesel-Hybrid Buses - Not to Exceed $36,889,364]
Sponsors: Wiener; Chu
Resolution approving a contract with New Flyer of America, Inc., for the purchase of 45 40-foot low floor diesel-hybrid buses, and related tools, training and spare parts, through the Cooperative Purchasing Venture established by the State of Minnesota's Materials Management Division, in an amount not to exceed $36,889,364 for a term not to exceed six years.
09/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120909 [Contract Approval - Complete Coach Works - 80 Neoplan Diesel Buses Rehabilitation - Not to Exceed $19,105,885.60]
Sponsor: Wiener
Resolution approving Contract No. CPT 631, Neoplan rehabilitation, between the City and County of San Francisco and Complete Coach Works to rebuild major systems and components on approximately 80 standard Neoplan diesel buses, in an amount not to exceed $19,105,885.60, and for a term not to exceed six years, with expenditures limited to $12 million pending certification of additional funding.
09/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120910 [Approval of the Comprehensive HIV Prevention Programs Application - $9,523,313]
Sponsor: Wiener
Resolution authorizing the San Francisco Department of Public Health to submit a one-year application for calendar year 2013 to continue to receive funding for the Comprehensive HIV Prevention Programs grant from the Centers for Disease Control and Prevention, requesting $9,523,313 in HIV prevention funding for San Francisco; from January 1, 2013, through December 31, 2013.
09/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120911 [Opening of City College of San Francisco Chinatown-North Beach Campus]
Sponsors: Chiu; Mar and Chu
Resolution congratulating City College of San Francisco (CCSF) on the completion and opening of the Chinatown-North Beach campus and designating September 21, 2012, the CCSF Chinatown-North Beach Campus Day.

120912 [Donation of Surplus Fire Department Equipment to California State University Maritime Academy Program]
Sponsor: Elsbernd
Resolution authorizing the Fire Department to donate five surplus Self Contained Breathing Apparatus to the California State University Maritime Academy.

120913 [It Can Wait - No Texting While Driving Pledge Day - September 19, 2012]
Sponsor: Farrell
Resolution declaring "It Can Wait - No Texting While Driving Pledge Day" on September 19, 2012.

120914 [Multifamily Housing Revenue Bonds - 2175 Market Street]
Sponsor: Wiener
Resolution of the City and County of San Francisco approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $31,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein).

Motion

120918 [Reaffirming the Commitment to Protect and Preserve Coit Tower]
Sponsor: Chiu
Motion reaffirming the commitment of the Board of Supervisors to protect and preserve Coit Tower and its murals following the passage by voters of Proposition B on June 5, 2012.
09/11/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Requests for Hearing

120915 [Hearing - Treasure Island Recent Radiological Findings]
Sponsors: Kim; Avalos
Hearing on the recent Navy disclosure of additional areas of potential radiological contamination on Treasure Island.
09/11/12; RECEIVED AND ASSIGNED to Rules Committee.

120916 [Hearing - Theft Scams]
Sponsor: Mar
Hearing on series of theft scams targeting older Asian women throughout San Francisco.
09/11/12; RECEIVED AND ASSIGNED to Public Safety Committee.

120917 [Hearing - Urban Forest Maintenance and Funding]
Sponsors: Wiener; Chiu
Hearing calling on various City agencies, including the Department of Public Works, Recreation and Parks Department, and Planning Department to discuss the condition of the City's street trees and park trees, including current plans for street tree maintenance relinquishment by the Department of Public Works. This hearing will also discuss the draft Urban Forest Master Plan and will consider various funding options for street tree and park tree maintenance.
09/11/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED RESOLUTION

120897 [Settlement of Claim - Laurel Dawn Teixeira - $80,000]
Resolution approving the settlement of the unlitigated claim filed by Laurel Dawn Teixeira against the City and County of San Francisco for $80,000; claim was filed on November 7, 2011. (City Attorney)

08/27/12; RECEIVED FROM DEPARTMENT.

09/11/12; RECEIVED AND ASSIGNED to Rules Committee.

Request Granted

From: Supervisor Avalos
To: Director, Department of Recreation and Parks
Requesting/Inquiring: Requesting that the Department of Recreation and Parks inform us of any updates they plan for Coit Tower's budget, staffing, and special event polices to reflect the passage of Measure B in the June 5, 2012 election.

In Memoriam

Jonathan Bullock, Jr. – Supervisor Olague
James McCray, Sr. – Supervisor Olague
Chuck Huggins – Supervisor Farrell
Celia Rodriguez – Supervisor Chu
Nora Patricia Spiers – Supervisor Chu
Arthur Fobbs – Supervisor Chiu
Andy Leakokos – Supervisor Chiu

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:52 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 23, 2012.

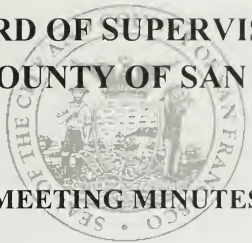
Angela Calvillo, Clerk of the Board

ADDENDUM

The following information is provided by a speaker, pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted to the following additional information during Public Comment as follows: This is SOTF O.D. #11083 finding City Librarian, Luis Herrera in violation for withholding public records relating to the finances of the Friends of the San Francisco Public Library. This records request is now a year old, and Luis Herrera is still not releasing certain public records. I've been asked why he would do this and my answer is two-fold: first, the records show that neither the Library Commission or the City Librarian provide any oversight of the millions of dollars raised and expended each year by "The Friends," second, Luis Herrera receives approximately $3000 per month of "discretionary funds" from "The Friends." The reality is that this "public-private partnership" is ONE HUNDRED PERCENT PRIVATE and ZERO PERCENT PUBLIC. In fact, it has reached the point where this BOS can no longer just look the other way, as both the City Librarian and the Library Commission have done for years!

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO



MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT
AUG 15 2013
SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, September 18, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 11:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from the Ethics Commission, dated September 18, 2012, transmitting their full record of the Commission's hearings and a report setting forth their findings of fact and recommendation to the Board on the matter of charges of official misconduct filed by Mayor Edwin Lee against Sheriff Ross Mirkarimi. The Board has 30 days after the receipt of the record from the Ethics Commission to act, with the 30th day being October 17, 2012.

CONSENT AGENDA

Recommendations of the Land Use and Economic Development Committee

120824 **[Accept and Expend Grant - San Francisco Parks Alliance - $625,017.53]**
Sponsor: Farrell
Resolution authorizing the Recreation and Park Department to accept and expend a grant of $625,017.53 from the San Francisco Parks Alliance to support the renovation of the children's play area at Lafayette Park.

Resolution No. 337-12

ADOPTED

120827 **[Accept and Expend Grant - South Murphy Windmill Project, Phase 1C - $513,000]**
Sponsor: Mar
Resolution authorizing the Recreation and Parks Department to retroactively accept and expend a grant in the amount of $513,000 from the San Francisco Parks Alliance for the South Murphy Windmill Project, Phase 1C.

Resolution No. 339-12

ADOPTED

Recommendations of the Rules Committee

120836 **[Settlement of Lawsuit - Saeed Ibrahim - $35,000.00]**
Ordinance authorizing settlement of the lawsuit filed by Saeed Ibrahim against the City and County of San Francisco for $35,000.00; the lawsuit was filed on February 17, 2011, in U.S. District Court, Case No. CV 11-1695-RS; entitled Saeed Ibrahim v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

120837 **[Settlement of Lawsuit - Lepakshi Nadh Jilakara - $40,000]**
Ordinance authorizing settlement of the lawsuit filed by Lepakshi Nadh Jilakara against the City and County of San Francisco for $40,000; the lawsuit was filed on April 26, 2011, in San Francisco Superior Court, Case No. CGC-11-510513; entitled Lepakshi Nadh Jilakara, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

120845 **[Settlement of Lawsuit - Brian Navarro - $225,000]**
Ordinance authorizing settlement of the lawsuit filed by Brian Navarro against the City and County of San Francisco for $225,000; the lawsuit was filed on March 1, 2011, in Brian Navarro vs. City and County of San Francisco, Case No.CGC-11-508644; entitled Brian Navarro, et al., v. City and County of San Francisco, et al.; other material terms of said settlement are material terms. (City Attorney)

PASSED, ON FIRST READING

120846 **[Settlement of Lawsuit - Fred Broussard - $125,000]**
Ordinance authorizing settlement of the lawsuit filed by Fred Broussard against the City and County of San Francisco for $125,000; the lawsuit was filed on October 4, 2010, in the United States District Court for the Northern District of California, Case No. CV10-4997 WHA; entitled Fred Broussard, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

120853 **[Settlement of Lawsuit - Raymond Quinn - $75,000]**
Ordinance authorizing settlement of the lawsuit filed by Raymond Quinn against the City and County of San Francisco for $75,000; the lawsuit was filed on February 16, 2012, in US District Court, Case No. CV-12-0766 DMR; entitled Raymond Quinn v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

120855 **[Settlement of Lawsuit - Yim Bing Kwong - $60,000]**
Ordinance authorizing settlement of the lawsuit filed by Yim Bing Kwong against the City and County of San Francisco for $60,000; the lawsuit was filed on October 27, 2010, in the United States District Court for the Northern District of California, Case No. C-10-4860, entitled Yim Bing Kwong v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

120856 **[Settlement of Lawsuit - James Wilson - $77,072.75]**
Ordinance authorizing settlement of the lawsuit filed by James Wilson, against the City and County of San Francisco for $77,072.75; the lawsuit was filed on February 20, 2007, in United States District Court, Case No. C-07-01016 PJH; entitled James Wilson, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

120838 **[Settlement of Claim - Adam Holm - $34,154.27]**
Resolution approving the settlement of the unlitigated claim filed by Adam Holm against the City and County of San Francisco for $34,154.27; claim was filed on April 30, 2012. (City Attorney)

Resolution No. 341-12

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the Government Audit and Oversight Committee Without Recommendation

120671 **[Police Code - Secondhand Dealer and Antique Dealer Permit Requirements]**
Sponsor: Wiener
Ordinance amending the San Francisco Police Code by: 1) repealing Sections 850, 851, 852, 1276, 1279.2, 1280, 1280.1, and 1281 to eliminate certain requirements for Secondhand and Antique Dealers; and 2) amending Sections 1279, 1279.1, and 1282 to modify the Secondhand Dealer permit requirement; and 3) amending Section 2.26 to set the permit application fee for a Secondhand Dealer permit at $200.

Ordinance No. 196-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Budget and Finance Committee

120689 [Administrative Code - Aviation Support Services/Airport Leases]
Ordinance amending the San Francisco Administrative Code Section 2A.173 to authorize the Airport Commission to enter into leases with entities providing aviation support services without competitive bidding for a term not to exceed 10 years. (Airport Commission)
(Fiscal Impact)

Ordinance No. 197-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120770 [Waiver of Temporary Street Space Occupancy Fee for the Ocean Avenue Festival]
Sponsor: Avalos
Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy as part of the Ocean Avenue Arts and Culture Festival on September 15, 2012.

Ordinance No. 198-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120820 [Setting San Francisco's Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2012-2013]
Sponsor: Mayor
Ordinance providing revenue and levying property taxes at a combined rate of $1.1691 on each $100.00 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District, and establishing pass-through rate of $0.0810 per $100.00 of assessed value for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2013.
(Fiscal Impact)

Ordinance No. 199-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

120631 **[Business and Tax Regulations, Police, and Planning Codes - Parking Tax Simplification for Residential Properties]**

Sponsor: Wiener

Ordinance: 1) amending the San Francisco Business and Tax Regulations Code by adding Section 609 to establish Parking Tax Simplification for Residential Properties to relieve residential property owners and managers renting five or fewer parking spaces in Parking Stations physically attached to or otherwise associated with the building from the requirement to: (a) obtain a certificate of authority, (b) make monthly tax prepayments, (c) obtain a parking tax bond, and (d) providing amnesty from parking taxes, interest, penalties and fees owed for tax periods ending before April 1, 2011; 2) amending the Business and Tax Regulations Code Section 2219.7 to exempt property owners and managers registered pursuant to Section 609 from the requirement to pay the Revenue Control Equipment compliance fee; 3) amending the Planning Code Section 204.5 to allow as an accessory use up to five dwelling unit parking spaces to be leased to persons living off-site anywhere in the City; 4) making conforming changes to the Planning Code Section 150(d); 5) amending the Police Code Section 1215 to eliminate the requirement to hold a commercial parking permit for property owners and managers registered pursuant to Section 609 of the Business and Tax Regulations Code; and 6) making environmental findings and findings of consistency with the general plan.

Supervisor Olague, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED to October 2, 2012. Supervisor Olague withdrew the motion.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Noes: 1 - Olague

Supervisor Wiener, seconded by Supervisor Campos, moved to RESCIND the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Wiener, seconded by Supervisor Chu, moved that Ordinance be AMENDED on Page 2, Line 16, by adding 'by' after 'herby amended'; on Page 3, Lines 10-13, by replacing 'earlier than 24 months prior to the effective date of the Ordinance' with 'for tax periods ending before April 1, 2011'; on Page 5, Line 19, by deleting 'taxes for failure to report and remit'; and on Page 6, Line 5, by adding 'of' after 'under the provisions'. The motion to Amend carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Noes: 1 - Olague

111371 [Administrative Code - CleanPowerSF Funds and Appropriating $19,500,000 of Available Fund Balance to Support Required Reserves and Creating Special Funds for the CleanPowerSF Program at the Public Utilities Commission]

Sponsor: Campos

Ordinance appropriating $19,500,000 of Hetch Hetchy fund balance at the Public Utilities Commission to support CleanPowerSF Community Choice Aggregation program consistent with the contractual requirements and budgetary authorizations as approved by the San Francisco Public Utilities Commission and the Board of Supervisors, placing the $6,000,000 appropriated for CleanPowerSF sustainability services on Budget and Finance Committee Reserve pending detailed appropriation plans for those sustainability services, and adding Administrative Code Sections 10.100.372 and 10.100.373 to establish the CleanPowerSF Customer Fund and the CleanPowerSF Reserve Fund. (Public Utilities Commission)
(Fiscal Impact)

Privilege of the floor was granted to Ed Harrington, General Manager, San Francisco Public Utilities Commission; Theresa Mueller and Jon Givner (City Attorney's Office); who responded to questions raised throughout the discussion regarding File Nos. 111340 and 111371.

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Ordinance be CONTINUED ON FIRST READING to September 25, 2012. The motion FAILED by the following vote:

Ayes: 4 - Chu, Elsbernd, Farrell, Wiener
Noes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague

Supervisor Kim, seconded by Supervisor Mar, moved that this Ordinance be AMENDED on Page 3, Lines 1-4, by adding the following subsection (b) 'Incentives for Energy Conservation and Efficiency services and GoSolarSF incentives funded with the $4,000,000 appropriation shall be offered first to low-income CleanPowerSF customers'. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chu, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED on Page 4, Lines 1-4, to add 'The SFPUC will recommend the inclusion in the CleanPowerSF rates a component to begin recovering the reserves required for this program within the contract period so that customers of CleanPowerSF will bear the cost of the program'. The motion carried by the following vote:

Ayes: 8 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Wiener
Noes: 3 - Avalos, Kim, Olague

Supervisor Farrell moved to DIVIDE the question relating to '$6,000,000 appropriated for GoSolarSF for CCA Customers, CCA-Owned Generation and Energy Conservation & Efficiency for CCA Customers (CleanPowerSF sustainability services) are hereby placed on Budget and Finance Committee Reserve pending detailed appropriation plans for CleanPowerSF sustainability services' located on Page 4, Lines 1 through 4. The question PASSED AS DIVIDED by the following vote.
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

PASSED ON FIRST READING AS AMENDED AND DIVIDED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague, Wiener
Noes: 3 - Chu, Elsbernd, Farrell

111340 **[Contract - Shell Energy North America and Approval of the CleanPowerSF Program Including Local Sustainability Services]**

Sponsor: Campos

Resolution authorizing the Public Utilities Commission, subject to conditions, to launch the CleanPowerSF program, approving local sustainability services for CleanPowerSF customers, and authorizing the General Manager of the Public Utilities Commission to execute a contract with Shell Energy North America for a term of up to five years for services required to launch the CleanPowerSF program; and delegating authority to non-materially amend or modify the contract. (Supervisor Chu dissented in Committee)
(Fiscal Impact)

Privilege of the floor was granted to Ed Harrington, General Manager, San Francisco Public Utilities Commission; Theresa Mueller and Jon Givner (City Attorney's Office); who responded to questions raised throughout the discussion regarding File Nos. 111340 and 111371.

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to September 25, 2012. The motion FAILED by the following vote:

Ayes: 4 - Chu, Elsbernd, Farrell, Wiener
Noes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague

Supervisor Kim, seconded by Supervisor Mar, moved that this Resolution be AMENDED on Page 9, Line 10, by adding a new Section 4 concerning 'Low Income Customers and Clean Power SF Program Accessibility'; on Page 18, Line 1, by adding two resolved clauses related to priority to low income CleanPowerSF customers, undertaking an aggressive outreach campaign, urging the SFPUC to minimize barriers to participation for low income residents;
on Page 1, Page 17, Lines 6 and 7, to replace 'That the Board of Supervisors supports an appropriate rate discount for low income CleanPowerSF customers' with 'That the Board of Supervisors strongly urges the SFPUC to provide an appropriate rate discount for low income ClanPowerSF customers and to incorporate into all CleanPowerSF rates a component for a hardship fund to support additional discounts for low income customers that require additional financial assistance to participate in the program'; on Page 17, Line 8, by adding 'FURTHER RESOLVED, That the Board of Supervisors strongly urges the SFPUC to eliminate the CleanPowerSF departure charge for a Clean PowerSF residential customer returning to PG&E services for at least a 6 month period, and after that time period, to set the charge at no more than a de minimis amount of five dollars'; and adding 'FURTHER RESOLVED, That, pursuant to its authority under Charter Section 8B125, the Board will consider rejecting rates that do not reflect the policies described in this resolution to address the needs of low-income and monolingual communities'. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chu, seconded by Supervisor Farrell, moved that this Resolution be AMENDED on Page 5 by adding 'The initial phases of Clean PowerSF will offer service only to those customers who have indicated a desire to be included in the initial marketing of the program'; and on Page 16 by adding 'The SFPUC shall not commit to buy power from Shell unless the Commission determines that a quantity of customers sufficient to ensure the financial viability of the program has indicated a desire to be included in the initial marketing of the program'. The motion FAILED by the following vote:

Ayes: 3 - Chu, Elsbernd, Farrell
Noes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague, Wiener

Supervisor Chu, seconded by Supervisor Farrell, moved that this Resolution be AMENDED on Page 9 to add 'The SFPUC will recommend the inclusion in the CleanPowerSF rates a component to begin recovering the reserves required for this program within the contract period so that customers of CleanPowerSF will bear the cost of the program'. The motion carried by the following vote:

Ayes: 8 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Wiener
Noes: 3 - Avalos, Kim, Olague

(Fiscal Impact)

Resolution No. 348-12

ADOPTED AS AMENDED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague, Wiener
Noes: 3 - Chu, Elsbernd, Farrell

120825 [Accept and Expend Grant - Harding Park Recycled Water Project - $2,114,000]
Sponsor: Elsbernd
Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a Department of Water Resources administered grant in the amount of $2,114,000 for implementation of the Harding Park Recycled Water Project.

Resolution No. 338-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120828 [Accept and Expend Grant - High-Efficiency Toilet Installation Program - $863,100]
Sponsor: Chu
Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a Department of Water Resources administered grant in the amount of $863,100 for the San Francisco Public Utilities Commission High-Efficiency Toilet Installation Program.

Resolution No. 340-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120885 [Real Property Lease Amendment - General Assistance Services - 1235 Mission Street]
Sponsor: Kim
Resolution establishing rent and term for second extension; and confirming second sublease extension of a Lease with the San Francisco Unified School District for real property at 1235 Mission Street for the Human Services Agency for general assistance services.
(Fiscal Impact)

Resolution No. 342-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the City Operations and Neighborhood Services Committee

120695 [Liquor License - 3117-16th Street]
Resolution to consider the issuance of a Type 40 license to the Roxie Theater located at 3117-16th Street (District 6), will serve the convenience and necessity of the people of the City and County of San Francisco.

Supervisor Kim, seconded by Supervisor Wiener, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING A NEW TITLE to change the conditions of the license to allow for the consumption of alcoholic beverages in both the lobby area and in the theater proper. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Resolution to consider the issuance of a Type 40 license to the Roxie Theater located at 3117-16th Street (District 6), will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

Resolution No. 336-12

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee

120353 [Planning Code - Mechanical Car Wash Facilities on 19th Avenue]
Sponsors: Olague; Chu and Elsbernd

Ordinance amending the San Francisco Planning Code by adding Section 187.2 to permit existing gasoline and service stations located on 19th Avenue to provide a mechanical car wash on the same site; making environmental findings and findings of consistency with the General Plan.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120523 [Planning Code - Transit Impact Development Fee Increase and Updates]
Sponsors: Mayor; Wiener and Olague

Ordinance amending the San Francisco Planning Code, Article 4, by: 1) revising and making technical corrections to specified definitions in Section 401 relating to the Transit Impact Development Fee (TIDF); 2) amending Sections 402, 408, 411 through 411.5, 411.7, 411.8, and adding a new Section 411.9 to increase TIDF rates, revise exemptions and credits, and clarify TIDF implementation and collection; and 3) making environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Supervisor Wiener, seconded by Supervisor Olague, moved that this Ordinance be CONTINUED ON FIRST READING to October 2, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120819 [Park Code - Petitioning, Leafleting, Picketing, and Soliciting in City Parks]
Sponsor: Wiener

Ordinance amending the San Francisco Park Code, Section 7.08, to repeal Subsection (d), which prohibits persons from petitioning, leafletting, demonstrating, or soliciting in designated areas of certain City parks while another event is in progress for which a permit has been issued by the Recreation and Park Department.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Rules Committee

120870 [Appointments, Lesbian, Gay, Bisexual and Transgender (LGBT) Seniors Task Force]

Motion appointing Ashley McCumber, Daniel Redman, Felicia Elizondo, Jazzie Collins, Jorge Rodriguez, Kaushik Roy, Larry Saxxon, Laurence Michael Costa, Marcy Adelman, Michelle Alcedo, Perry Lang, Scott Haitsuka, Stuart Smith, Tommi Mecca, and William Ambrunn, for indefinite terms, to the Lesbian, Gay, Bisexual and Transgender (LGBT) Seniors Task Force. (Clerk of the Board)

Motion No. M12-105

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Cohen Excused from Voting

Supervisor Chu, seconded by Supervisor Avalos, moved that Supervisor Cohen be EXCUSED from voting on File No. 120879. The motion to Excuse carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Cohen

120879 [Reappointment, Peninsula Corridor Joint Powers Board - Supervisor Malia Cohen]

Motion reappointing Supervisor Malia Cohen, term ending June 30, 2014, to the Peninsula Corridor Joint Powers Board. (Clerk of the Board)

Motion No. M12-106

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Cohen

120847 [Appointment, Sunshine Ordinance Task Force - Bruce Wolfe]

Motion appointing Bruce Wolfe, term ending April 27, 2013, to the Sunshine Ordinance Task Force. (Clerk of the Board)

NOT APPROVED by the following vote:

Ayes: 5 - Avalos, Campos, Kim, Mar, Olague

Noes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Chiu, seconded by Supervisor Campos, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

President Chiu introduced, welcomed, and presented a Commendation of Distinguished Service to General Manager, Ed Harrington (SFPUC) upon his retirement and recognition of his service during his tenure with the City and County of San Francisco, his accomplishments, and continued community support. The entire Board of Supervisors shared in this Commendation.

SPECIAL ORDER 4:00 P.M.

120849 **[Public Hearing - Tentative Parcel Map Appeal - 1101-1103 Dolores Street]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated August 9, 2012, approving a Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033. (District 8) (Appellants: Kevin Cheng and Todd Mavis) (Filed August 20, 2012). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board related to a proposed continuance. There were no speakers.

Supervisor Wiener, seconded by Supervisor Olague, moved that this Hearing be CONTINUED to October 23, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

The President CONTINUED the hearing open to October 23, 2012.

120850 **[Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map - 1101-1103 Dolores Street]**
Motion approving decision of the Department of Public Works and approving the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; approving the decision of the Department of Public Works. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Olague, moved that this Motion be CONTINUED to October 23, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120851 [Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map - 1101-1103 Dolores Street]

Motion disapproving decision of the Department of Public Works and disapproving the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Olague, moved that this Motion be CONTINUED to October 23, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120852 [Preparation of Findings Related to the Tentative Parcel Map Disapproval - 1101-1103 Dolores Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Olague, moved that this Motion be CONTINUED to October 23, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 4:00 P.M.

120866 [Public Hearing - Conditional Use Appeal - 175 Junipero Serra Boulevard]

Hearing of persons interested in or objecting to the decision of the Planning Commission's July 26, 2012, Conditional Use Authorization identified as Planning Case No. 2012.0348C, by its Motion No. 18674, under Planning Code Sections 209.3(f) and 303 to allow a child care facility for 15 or more children (dba Alpha Kids Academy) within an RH-1(D) (Residential, One-Family, Detached) District, and a 40-X Height and Bulk District, on property located at 175 Junipero Serra Boulevard, Assessor's Block No. 3250, Lot No. 006. (District 7) (Appellant: Margaret Finley) (Filed August 24, 2012).

The President inquired as to whether any member of the public wished to address the Board related to a proposed continuance. There were no speakers.

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Hearing be CONTINUED to October 2, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

The President CONTINUED the hearing open to October 2, 2012.

120867 [Approving Planning Commission's Decision Related to the Conditional Use Authorization - 175 Junipero Serra Boulevard]

Motion approving the Planning Commission's decision, by its Motion No. 18674, approving the Conditional Use Authorization identified as Planning Case No. 2012.0348C on property located at 175 Junipero Serra Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Motion be CONTINUED to October 2, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120868 **[Disapproving Planning Commission's Decision Related to the Conditional Use Authorization - 175 Junipero Serra Boulevard]**

Motion disapproving the Planning Commission's decision, by its Motion No. 18674, approving Conditional Use Authorization identified as Planning Case No. 2012.0348C on property located at 175 Junipero Serra Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Motion be CONTINUED to October 2, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120869 **[Preparation of Findings Related to the Conditional Use Authorization - 175 Junipero Serra Boulevard]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2012.0348C on property located at 175 Junipero Serra Boulevard. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Motion be CONTINUED to October 2, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Patrick Menupshaw; expressed concerns over the suspension of Sheriff Mirkarimi and the Sunshine Ordinance Task Force.
Ray Hartz; expressed concerns relating to the SF Public Library.
Vivian Apricalli; expressed concerns relating to the suspension of Sheriff Mirkarimi.
Walter Paulson; shared in song certain concerns with the Board.
Charlie Walker; expressed concerns relating to contractor jobs preferences.
Male Speaker; expressed various concerns.
Male Speaker; expressed concerns related to the suspension of Sheriff Mirkarimi.
Male Speaker; expressed various concerns.
Peter Warfield; expressed concerns related to the SF Public Library.
Mark; expressed concerns related to various economic issues and noise pollution.
Mike Patrelis; expressed concerns related to remembering 9/11 and use of public property.
Caroline Paderone; expressed concerns related to minimum living area in units.
Teresa Imperial; expressed concerns related to minimum living area in units.
Joshsoline Meleno; expressed concerns related to minimum living area in units.
Paula Brown; played a video concerning homicides in San Francisco.
Male Speaker; expressed various religious concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120911 **[Opening of City College of San Francisco Chinatown-North Beach Campus]**
Sponsors: Chiu; Mar and Chu
Resolution congratulating City College of San Francisco (CCSF) on the completion and opening of the Chinatown-North Beach campus and designating September 21, 2012, the CCSF Chinatown-North Beach Campus Day.

Resolution No. 346-12

ADOPTED

120912 **[Donation of Surplus Fire Department Equipment to California State University Maritime Academy Program]**
Sponsor: Elsbernd
Resolution authorizing the Fire Department to donate five surplus Self Contained Breathing Apparatus to the California State University Maritime Academy.

Resolution No. 343-12

ADOPTED

120913 **[It Can Wait - No Texting While Driving Pledge Day - September 19, 2012]**
Sponsor: Farrell
Resolution declaring "It Can Wait - No Texting While Driving Pledge Day" on September 19, 2012.

Resolution No. 347-12

ADOPTED

120914 **[Multifamily Housing Revenue Bonds - 2175 Market Street]**
Sponsor: Wiener
Resolution of the City and County of San Francisco approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $31,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein).

Resolution No. 344-12

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Chiu, seconded by Supervisor Campos, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Chiu, seconded by Supervisor Campos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120920 **[Ed Harrington Commendation of Distinguished Service]**
Sponsors: Chiu; Elsbernd, Chu, Mar, Campos, Olague, Cohen, Kim, Avalos, Farrell and Wiener
Resolution commending the San Francisco Public Utilities Commission General Manager, and former City Controller, Ed Harrington, for 28 years of distinguished service to the City and County of San Francisco.

Resolution No. 345-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinance

120928 **[Summary Vacation of Public Service Easement; Approval of Sale of Easement Interest - 1407-1435 Market Street]**
Sponsor: Kim
Ordinance ordering the summary vacation of public service easement and approving sale for $77,000 of City's interest in vacated easement over property located at 1407-1435 Market Street; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing official acts in furtherance of this Ordinance.

09/18/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

120931 [Real Property License Agreement - American Towers, LLC - 99 Moultrie]
Sponsor: Mayor
Resolution authorizing a renewal license agreement, with retroactive effective date, for telecommunications equipment from American Towers, LLC, at 99 Moultrie for use by the Department of Technology, the Department of Emergency Management, the Police Department and the Municipal Transportation Agency.

09/18/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120932 [Accept and Expend Grant - Foreclosure Crisis Relief Fund - $399,442]
Sponsor: Avalos
Resolution authorizing the Office of the District Attorney to retroactively accept and expend a grant in the amount of $399,442 through the California Department of Justice for a program entitled "Foreclosure Crisis Recovery Program" for the period of July 1, 2012, through June 30, 2013.

09/18/12; RECEIVED AND ASSIGNED to Public Safety Committee.

120933 [Accept and Expend Grant - Compensation for Crime Victims - Not to Exceed $714,138]
Sponsor: Avalos
Resolution authorizing the Office of the District Attorney to retroactively accept and expend up to $714,138 allocated from the California Victim Compensation and Government Claims Board for a project entitled "Joint Powers Agreement" for the period of July 1, 2012, through June 30, 2015.

09/18/12; RECEIVED AND ASSIGNED to Public Safety Committee.

120934 [Ratification of Prior Action - Lease Option at 555-575 Polk Street]
Sponsor: Kim
Resolution ratifying an option for the lease of 9,000 square feet at 555-575 Polk Street with Mattison Family Trust.

09/18/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120935 [Accept and Expend Grant - Certified Unified Program Agency Electronic Reporting - $109,492]
Sponsor: Mar
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $109,492 from California Environmental Protection Agency to participate in a program entitled "Certified Unified Program Agency Electronic Reporting" for the period of January 1, 2010, through March 31, 2013, waiving indirect costs.

09/18/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120936 **[Accept and Expend Grant - Energy Efficiency Program - $156,000]**
Sponsor: Mar
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $156,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to continue an Energy Use and Demand Reduction Through Energy Efficiency Program in the City and County of San Francisco during 2012.

09/18/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120937 **[Accept and Expend Grant - Glen Canyon Creekside Loop Trail Improvements - $163,587]**
Sponsor: Wiener
Resolution authorizing the Recreation and Park Department to accept and expend a Habitat Conservation Fund Grant in the amount of $163,587 from the California Department of Parks and Recreation for the Glen Canyon Creekside Loop Trail Project.

09/18/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120938 **[Agreement with Pacific Gas and Electric Company to Connect a Solar Power Project]**
Sponsor: Wiener
Resolution authorizing the San Francisco Public Utilities Commission General Manager to enter into a long term interconnection agreement with Pacific Gas and Electric Company for a solar power project at the Alvarado Elementary School pursuant to San Francisco Charter Section 9.118(b).

09/18/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120940 **[Welcoming Daw Aung San Suu Kyi]**
Sponsor: Kim
Resolution welcoming Daw Aung San Suu Kyi to the City and County of San Francisco and Honoring our Commitment to Ongoing Human Rights Struggle in Burma.

09/18/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120944 **[Accept and Expend Grant - Criminal Restitution Compact - Not to Exceed $85,658]**
Sponsor: Avalos
Resolution authorizing the Office of the District Attorney to retroactively accept and expend up to $85,658 allocated from the California Victim Compensation and Government Claims Board for a project entitled "Criminal Restitution Compact" for the period of July 1, 2012, through June 30, 2013.

09/18/12; RECEIVED AND ASSIGNED to Public Safety Committee.

Motions

120939 [Revising the 2012 Budget and Legislative Analyst's Performance Audit Schedule]
Sponsor: Farrell

Motion revising the Budget and Legislative Analyst's 2012 Performance Audit Schedule to revise the priorities as follows: 1) Department of Public Health and Human Services Agency management of professional services contracts; 2) Adult Probation and Sheriff's departments implementation of Public Safety Realignment; and 3) City departments management and oversight of the former San Francisco Redevelopment Agency assets and functions.

09/18/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120941 [Committee of the Whole - Public Hearing - Successor Agency to the Former Redevelopment Agency]
Sponsor: Cohen

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on September 25, 2012, at 3:00 p.m., to hold a public hearing on the Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco"; 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law

09/18/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120948 [Committee of the Whole - Public Hearing - Charges of Official Misconduct Filed by Mayor Edwin Lee Against Sheriff Ross Mirkarimi]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole for a Special Meeting on October 9, 2012, at 2:00 p.m., to hear the matter related to the charges of official misconduct filed by Mayor Edwin Lee against Sheriff Ross Mirkarimi pursuant to Charter Section 15.105. (Clerk of the Board)

09/18/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

120942 **[Committee of the Whole - Public Hearing - Ordinance of the Successor Agency to the Former Redevelopment Agency]**
Sponsor: Cohen

Hearing on Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco"; 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law. (File No. 120898)

09/18/12; ASSIGNED to Board of Supervisors.

Introduced by the President at the Request of a Department

There were no items received by Departments.

In Memoriam

Robert Alan Price - Supervisor Olague

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:43 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up

Approved by the Board of Supervisors on October 30, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

AUG 15 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, September 25, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 11:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:16 p.m. On the call of the roll all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Rules Committee

120836 **[Settlement of Lawsuit - Saeed Ibrahim - $35,000.00]**
Ordinance authorizing settlement of the lawsuit filed by Saeed Ibrahim against the City and County of San Francisco for $35,000.00; the lawsuit was filed on February 17, 2011, in U.S. District Court, Case No. CV 11-1695-RS; entitled Saeed Ibrahim v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 202-12

FINALLY PASSED

120837 **[Settlement of Lawsuit - Lepakshi Nadh Jilakara - $40,000]**
Ordinance authorizing settlement of the lawsuit filed by Lepakshi Nadh Jilakara against the City and County of San Francisco for $40,000; the lawsuit was filed on April 26, 2011, in San Francisco Superior Court, Case No. CGC-11-510513; entitled Lepakshi Nadh Jilakara, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 203-12

FINALLY PASSED

120845 [Settlement of Lawsuit - Brian Navarro - $225,000]
Ordinance authorizing settlement of the lawsuit filed by Brian Navarro against the City and County of San Francisco for $225,000; the lawsuit was filed on March 1, 2011, in Brian Navarro vs City and County of San Francisco, Case No.CGC-11-508644; entitled Brian Navarro, et al., v. City and County of San Francisco, et al.; other material terms of said settlement are material terms. (City Attorney)

Ordinance No. 204-12

FINALLY PASSED

120846 [Settlement of Lawsuit - Fred Broussard - $125,000]
Ordinance authorizing settlement of the lawsuit filed by Fred Broussard against the City and County of San Francisco for $125,000; the lawsuit was filed on October 4, 2010, in the United States District Court for the Northern District of California, Case No. CV10-4997 WHA; entitled Fred Broussard, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 205-12

FINALLY PASSED

120853 [Settlement of Lawsuit - Raymond Quinn - $75,000]
Ordinance authorizing settlement of the lawsuit filed by Raymond Quinn against the City and County of San Francisco for $75,000; the lawsuit was filed on February 16, 2012, in US District Court, Case No. CV-12-0766 DMR; entitled Raymond Quinn v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 206-12

FINALLY PASSED

120855 [Settlement of Lawsuit - Yim Bing Kwong - $60,000]
Ordinance authorizing settlement of the lawsuit filed by Yim Bing Kwong against the City and County of San Francisco for $60,000; the lawsuit was filed on October 27, 2010, in the United States District Court for the Northern District of California, Case No. C-10-4860, entitled Yim Bing Kwong v. City and County of San Francisco. (City Attorney)

Ordinance No. 207-12

FINALLY PASSED

120856 [Settlement of Lawsuit - James Wilson - $77,072.75]
Ordinance authorizing settlement of the lawsuit filed by James Wilson, against the City and County of San Francisco for $77,072.75; the lawsuit was filed on February 20, 2007, in United States District Court, Case No. C-07-01016 PJH; entitled James Wilson, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 208-12

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

111371 [Administrative Code - CleanPowerSF Funds and Appropriating $19,500,000 of Available Fund Balance to Support Required Reserves and Creating Special Funds for the CleanPowerSF Program at the Public Utilities Commission]

Sponsor: Campos

Ordinance appropriating $19,500,000 of Hetch Hetchy fund balance at the Public Utilities Commission to support CleanPowerSF Community Choice Aggregation program consistent with the contractual requirements and budgetary authorizations as approved by the San Francisco Public Utilities Commission and the Board of Supervisors, placing the $6,000,000 appropriated for CleanPowerSF sustainability services on Budget and Finance Committee Reserve pending detailed appropriation plans for those sustainability services, and adding Administrative Code Sections 10.100.372 and 10.100.373 to establish the CleanPowerSF Customer Fund and the CleanPowerSF Reserve Fund. (Public Utilities Commission)
(Fiscal Impact)

Ordinance No. 200-12

FINALLY PASSED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague, Wiener
Noes: 3 - Chu, Elsbernd, Farrell

120631 [Business and Tax Regulations, Police, and Planning Codes - Parking Tax Simplification for Residential Properties]
Sponsor: Wiener
Ordinance: 1) amending the San Francisco Business and Tax Regulations Code by adding Section 609 to establish Parking Tax Simplification for Residential Properties to relieve residential property owners and managers renting five or fewer parking spaces in Parking Stations physically attached to or otherwise associated with the building from the requirement to: (a) obtain a certificate of authority, (b) make monthly tax prepayments, (c) obtain a parking tax bond, and (d) providing amnesty from parking taxes, interest, penalties and fees owed for tax periods ending before April 1, 2011; 2) amending the Business and Tax Regulations Code Section 2219.7 to exempt property owners and managers registered pursuant to Section 609 from the requirement to pay the Revenue Control Equipment compliance fee; 3) amending the Planning Code Section 204.5 to allow as an accessory use up to five dwelling unit parking spaces to be leased to persons living off-site anywhere in the City; 4) making conforming changes to the Planning Code Section 150(d). 5) amending the Police Code Section 1215 to eliminate the requirement to hold a commercial parking permit for property owners and managers registered pursuant to Section 609 of the Business and Tax Regulations Code; and 6) making environmental findings and findings of consistency with the general plan.

Ordinance No. 209-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee

120353 [Planning Code - Mechanical Car Wash Facilities on 19th Avenue]
Sponsors: Olague; Chu and Elsbernd
Ordinance amending the San Francisco Planning Code by adding Section 187.2 to permit existing gasoline and service stations located on 19th Avenue to provide a mechanical car wash on the same site; making environmental findings and findings of consistency with the General Plan.

Ordinance No. 201-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120819 [Park Code - Petitioning, Leafleting, Picketing, and Soliciting in City Parks]
Sponsor: Wiener
Ordinance amending the San Francisco Park Code, Section 7.08, to repeal Subsection (d), which prohibits persons from petitioning, leafletting, demonstrating, or soliciting in designated areas of certain City parks while another event is in progress for which a permit has been issued by the Recreation and Park Department.

Ordinance No. 210-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120191 **[Building Code - Definition of Efficiency Unit]**
Sponsor: Wiener
Ordinance amending the San Francisco Building Code Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units in new structures or buildings pursuant to Section 17958.1 of the California Health & Safety Code; and making environmental findings.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to November 13, 2012. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Wiener, seconded by Supervisor Campos, moved to Rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Wiener, seconded by Supervisor Campos, CONTINUED ON FIRST READING to November 20, 2012, by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

120751 **[Appropriating $543,200,000 of Proceeds from the Sale of Bonds for Capital Improvement Projects to the Airport Commission - FY2012-2013]**
Sponsors: Mayor; Chiu
Ordinance appropriating $543,200,000 of proceeds from the sale of bonds for capital improvement projects to the Airport Commission for FY2012-2013, and placing the total appropriation of $543,200,000 on Controller's Reserve pending sale of the bonds.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120759 **[Airport Capital Plan Bonds - $502,200,000]**
Sponsors: Mayor; Chiu
Resolution approving the issuance of up to $502,200,000 aggregate principal amount of San Francisco Airport Commission Capital Plan Bonds; and approving certain related matters.

Resolution No. 349-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120822 **[Lease Amendment - Union Square Garage - 333 Post Street]**
Sponsor: Chiu
Resolution approving and authorizing an amendment to the Lease of the Union Square Garage at 333 Post Street with the City and County of San Francisco Uptown Parking Corporation to continue the term of the Lease for a period not to exceed 180 days following the retirement of certain parking revenue bonds until the City and the Corporation either execute a new lease to replace the existing Lease, or complete an agreement to terminate the Lease and create a new advisory body in place of the Corporation; and ratifying prior acts.

Resolution No. 350-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120823 **[Accept and Expend Grant - The Stop Study - $747,833]**
Sponsor: Wiener
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $747,833 from Centers for Disease Control and Prevention to participate in a program entitled "The Stop Study" for the period of June 15, 2012, through June 14, 2013.

Resolution No. 351-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120860 **[Contract Amendment - En Pointe Technology Sales, Inc. - $54,150,000]**
Resolution authorizing the Office of Contract Administration to enter into the Fifth Amendment between the City and County of San Francisco and En Pointe Technology Sales, Inc., part of the Technology Store procurement vehicle, in which the amendment shall increase the contract limit from $38,490,000 to $54,150,000, exercise the second of two options to extend the contract by one year through December 31, 2013, and update standard contractual clauses. (Office of Contract Administration)
(Fiscal Impact)

Resolution No. 352-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120861 **[Contract Amendment - Xtech - $67,890,000]**
Resolution authorizing the Office of Contract Administration to enter into the Fifth Amendment between the City and County of San Francisco and Xtech, part of the Technology Store procurement vehicle, in which the amendment shall increase the contract limit from $51,490,000 to $67,890,000, exercise the second of two options to extend the contract by one year through December 31, 2013, and update standard contractual clauses. (Office of Contract Administration)

Resolution No. 353-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120862 [Contract Amendment - CCT Technologies, Inc., dba ComputerLand of Silicon Valley - $34,460,000]

Resolution authorizing the Office of Contract Administration to enter into the Third Amendment between the City and CCT Technologies, Inc., dba ComputerLand of Silicon Valley, part of the Technology Store procurement vehicle, in which the amendment shall increase the contract limit from $24,490,000 to $34,460,000, exercise the second of two options to extend the contract by one year through December 31, 2013, and update standard contractual clauses. (Office of Contract Administration)

Resolution No. 354-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee

120142 [Transportation Code - Large Vehicle Parking Restrictions]

Sponsors: Chu; Cohen

Ordinance amending the San Francisco Transportation Code, Division I, Article 7, by adding Section 7.2.54 to prohibit the on-street parking of any vehicle over 22 feet in length or seven feet in height, camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobilehomes, recreational vehicles, or semi-trailers as defined by the California Vehicle Code and Health and Safety Code, between the hours of 12 a.m. and 6 a.m. when Municipal Transportation Agency signs are posted giving notice; and making environmental findings.

Privilege of the floor was granted to Bond Yee (Municipal Transportation Agency); Bevan Dufty, Director (Mayor's Office of Housing Opportunity, Partnerships and Engagement); and Dr. Rajesh Parekh (Department of Public Health); who responded to questions raised throughout the discussion

Supervisor Olague, seconded by Supervisor Campos, moved that this Ordinance be AMENDED to add a new section to request: 1) The Mayor's Office on Housing, Opportunity, Partnership and Engagement, in conjunction with the Municipal Transportation Agency, to assess how many vehicles are inhabited, collect demographics, and study the impact this legislation would have on those inhabiting vehicles, including any unintended consequences of the legislation; 2) Municipal Transportation Agency shall assess the possibility of opening parking lots in the same neighborhoods and creating partnerships with private entities to allow parking on private lots; 3) An assessment shall be made of the capacity of the City to provide housing and support services to those individuals and families with children that choose to avail themselves of such resources; and 4) The Mayor's Office on Housing, Opportunity, Partnership and Engagement and the Municipal Transportation Agency shall report to the Board of Supervisors on their findings within 90 days of the implementation of this Ordinance. The motion FAILED by the following vote:

Ayes: 4 - Avalos, Campos, Kim, Olague

Noes: 7 - Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Wiener

Supervisor Chiu, seconded by Supervisor Chu, moved that this Ordinance be AMENDED to add a new section to require the Mayor's Office on Housing, Opportunity, Partnership and Engagement, in conjunction with the Municipal Transportation Agency, to: 1) Assess oversized vehicles and collect demographic information if possible; 2) Assess options for vehicle storage; 3) Track the transition of any individuals to City services subsequent to the operative date of the Ordinance; and 4) Report to the Board of Supervisors, at a public hearing, on their findings within 90 days of the effective date of this ordinance. The motion carried by the following vote:

Ayes: 8 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Noes: 3 - Avalos, Campos, Olague

Ordinance amending the San Francisco Transportation Code, Division I, Article 7, by adding Section 7.2.54 to prohibit the on-street parking of any vehicle over 22 feet in length or 7 feet in height, camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobilehomes, recreational vehicles, or semi-trailers, as defined by the California Vehicle Code and Health and Safety Code, between the hours of 12 a.m. and 6 a.m. when Municipal Transportation Agency signs are posted giving notice; and making environmental findings.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Wiener
Noes: 4 - Avalos, Campos, Kim, Olague

120318 [Police Code - Additional Penalties for Foreclosed Properties]

Sponsor: Cohen

Ordinance amending the San Francisco Police Code, Article 1, and adding Sections 96 to 96.6 to: 1) declare that public nuisances occurring at foreclosed properties be considered aggravating factors in imposing civil penalties and injunctive relief; 2) hold individuals and entities who own significant numbers of foreclosed properties to increased civil penalties for failing to maintain the properties; and 3) make environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120773 [Planning Code - Reinstating Liquor License Controls and Establishing Conditional Use Requirement for Limited Restaurants - Union Street Neighborhood Commercial District]

Sponsors: Farrell; Wiener

Ordinance amending the San Francisco Planning Code Section 725.1 to: 1) reinstate controls to prohibit liquor license types 47 and 49 in the Union Street Neighborhood Commercial District; and 2) requiring conditional use authorization for Limited Restaurants; and making environmental findings and findings of consistency with the General Plan.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 120941, approved September 25, 2012.)

120942 **[Committee of the Whole - Public Hearing - Ordinance of the Successor Agency to the Former Redevelopment Agency]**

Sponsor: Cohen

Hearing on Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco"; 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law. (File No. 120898)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to the proposed Resolution as referenced in File No. 120898. Naomi Kelly, City Administrator; Tiffany Bohee (Successor Agency to the former Redevelopment Agency); provided an overview of the Ordinance. Ray Haristep; Cathy Allioto; Male Speaker; Espanola Jackson; Diane Wesley Smith; Robert Wood; Male Speaker; Tom Radulovich; Perin Woods; Dr. Veronica Honeycut; DeeDee Workman; Male Speaker; Christine Johnson; Ace Washington; Michael Terrance; Amen; Eric Brooks; Calvin Welch; Arnold Townsend; Miguel Bustos; David Elliot; expressed concerns relating to the proposed Ordinance. There were no other speakers. The President declared the public hearing closed, adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

120898 [Successor Agency to the Former Redevelopment Agency]
Sponsors: Mayor; Kim, Cohen and Olague

Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco"; 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law.

Privilege of the floor was granted to Jason Elliot (Mayor's Office); Jon Givner (City Attorney's Office); who responded to questions raised throughout the discussion.

Supervisor Campos, seconded by Supervisor Avalos, moved that this Ordinance be CONTINUED ON FIRST READING to October 2, 2012. The motion FAILED by the following vote:
Ayes: 5 - Avalos, Campos, Chiu, Kim, Olague
Noes: 6 - Chu, Cohen, Elsbernd, Farrell, Mar, Wiener

Supervisor Olague, seconded by Supervisor Cohen, moved that this Ordinance be AMENDED to clarify that the Board of Supervisors will retain review and approval power over the Successor Agency to the Former Redevelopment Agency's operational budget; and require the Successor Agency to the Former Redevelopment Agency provide a report within 120 days concerning a roadmap for future activities. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Kim, seconded by Supervisor Campos, moved that the Ordinance be AMENDED to require that two out of the five seats of the Successor Agency be representatives of at least two of the three area plans. The motion carried by the following vote:
Ayes: 6 - Avalos, Campos, Chiu, Cohen, Kim, Olague
Noes: 5 - Chu, Elsbernd, Farrell, Mar, Wiener

Supervisor Kim, seconded by Supervisor Campos, moved to RESCIND the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Kim, seconded by Supervisor Campos, moved that this Ordinance be AMENDED to require that two out of the five members be residents of the two supervisorial districts that include the largest portions of the three major plan areas. The motion carried by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague
Noes: 4 - Chu, Elsbernd, Farrell, Wiener

Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by: 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco;" 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law.

Supervisor Campos, seconded by Supervisor Avalos, moved that the Ordinance be AMENDED on Page 13, Lines 2-3, to strike 'The Commission may delegate to the Executive Director any of its duties it deems appropriate'. The motion carried by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Cohen, Kim, Olague
Noes: 5 - Chu, Elsbernd, Farrell, Mar, Wiener

Supervisor Cohen, seconded by Supervisor Chu, moved to RESCIND the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Campos, seconded by Supervisor Avalos, moved that the Ordinance be AMENDED to strike language that would allow the Board to delegate authority to their Executive Director. The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Chiu, Kim, Olague
Noes: 6 - Chu, Cohen, Elsbernd, Farrell, Mar, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Noes: 1 - Campos

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Avalos, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Mar recognized the accomplishments of Todd David, Founder of Ed Match, and Michelle Parker, Parent Teacher Association, for their work in supporting the San Francisco school system and continued community support.

COMMITTEE REPORTS

Recommendation of the Land Use and Economic Development Committee

120928 [Summary Vacation of Public Service Easement; Approval of Sale of Easement Interest - 1407-1435 Market Street]
Sponsor: Kim
Ordinance ordering the summary vacation of public service easement and approving sale for $77,000 of City's interest in vacated easement over property located at 1407-1435 Market Street, adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing official acts in furtherance of this Ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Chu

Recommendations of the Rules Committee

120872 [Reappointment, Public Utilities Commission - Ann Moller Caen]
Motion approving/rejecting the Mayor's reappointment of Ann Moller Caen, to the Public Utilities Commission, Seat No. 3, for the unexpired portion of a four-year term ending August 1, 2016. (Clerk of the Board)

Motion No. M12-107

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120873 **[Reappointment, Public Utilities Commission - Francesca Vietor]**
Motion approving/rejecting the Mayor's reappointment of Francesca Vietor, to the Public Utilities Commission, Seat No. 1, for the unexpired portion of a four-year term ending August 1, 2016. (Clerk of the Board)

Motion No. M12-108

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120874 **[Reappointment, Public Utilities Commission - Vince Courtney]**
Motion approving/rejecting the Mayor's reappointment of Vince Courtney, to the Public Utilities Commission, Seat No. 5, for the unexpired portion of a four-year term ending August 1, 2016. (Clerk of the Board)

Motion No. M12-109

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Male Speaker; expressed concerns relating to the Mayor's decisions.
Vivian Curiali; expressed concerns relating to Sheriff Ross Mirkarimi.
Ms. Rosalias; expressed concerns relating to Sheriff Ross Mirkarimi.
Female Speaker; expressed concerns relating to Sheriff Ross Mirkarimi.
Female Speaker, (speaking in Spanish) expressed concerns relating to Sheriff Ross Mikarimi.
Male Speaker, (speaking in Spanish) expressed concerns relating to Sheriff Ross Mikarimi.
Male Speaker, expressed concerns relating to KPOO radio.
Paul Currier; expressed various concerns.
Lin Gavin; expressed concerns relating to the Sunshine Ordinance Task Force.
Male Speaker; expressed concerns relating to toxic chemical in synthetic fields.
Tom Givner; expressed concerns relating noise pollution.
Male Speaker; expressed various religious concerns.
Peter Warfield; expressed concerns relating to the SF Public Library.
Male Speaker; expressed various religious concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120948 **[Committee of the Whole - Public Hearing - Charges of Official Misconduct Filed by Mayor Edwin Lee Against Sheriff Ross Mirkarimi]**
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole for a Special Meeting on October 9, 2012, at 2:00 p.m., to hear the matter related to the charges of official misconduct filed by Mayor Edwin Lee against Sheriff Ross Mirkarimi pursuant to Charter Section 15.105. (Clerk of the Board)

Motion No. M12-111

APPROVED

120945 **[Final Map 6450 - 626-628 Natoma Street]**
Motion approving Final Map 6450, a Five Unit Residential Condominium Project, located at 626-628 Natoma Street being a subdivision of Lot 048 in Assessors Block No. 3727 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

Motion No. M12-112

APPROVED

120946 **[Final Map 7042 - 750-2nd Street]**
Motion approving Final Map 7042, a One Lot Merger and Resubdivision and a 14 Residential Unit and 1 Commercial Unit Mixed-Use Condominium Project, located at 750-2nd Street being a subdivision of Lot 002A in Assessors Block No. 3794 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

Motion No. M12-113

APPROVED

120947 **[Final Map 6431 - 55 Trumbull Street, 4 Craut Street]**
Motion approving Final Map 6431, a Two Lot Subdivision and 18 Residential Unit and 1 Commercial Unit Mixed-Use Condominium Project, located at 55 Trumbull Street, 4 Craut Street being a subdivision of Lot 006 & 007 in Assessors Block No. 5868, and a portion of Lot 034 in Assessor's Block No. 5867, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

Motion No. M12-114

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Severed from the For Adoption Without Committee Reference

Supervisor Chiu requested that File No. 120941 be severed so that it may be considered separately.

120941 [Committee of the Whole - Public Hearing - Successor Agency to the Former Redevelopment Agency]

Sponsor: Cohen

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on September 25, 2012, at 3:00 p.m., to hold a public hearing on the Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco"; 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law.

The President inquired as to whether any member of the public wished to address the Board related to File No. 120941. There were no speakers.

Motion No. M12-110

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Kim requested that File No. 120940 be severed so that it may be considered separately.

120940 [Welcoming Daw Aung San Suu Kyi]

Sponsor: Kim

Resolution welcoming Daw Aung San Suu Kyi to the City and County of San Francisco and Honoring our Commitment to Ongoing Human Rights Struggle in Burma.

Supervisor Kim, seconded by Supervisor Wiener, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Resolution No. 355-12

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

120963 **[Business and Tax Regulations Code - Improvement Districts: Longer Term When Assessments Pledged to Bond, Lease, or Other Obligations; Alternative 2/3 Weighted Vote by Businesses]**

Sponsor: Mayor

Ordinance amending San Francisco Business and Tax Regulations Code Article 15 "Business Improvement Districts Procedure Code" by amending Sections 1510 and 1511, and by adding Section 1515, to: 1) provide for a district term of up to 40 years when assessments are pledged or applied to pay any bond, financing lease (including any certificates of participation therein), or other similar obligations of the City; 2) authorize the Board of Supervisors to require a weighted two-thirds (2/3) vote of business owners to be assessed, based on ballots cast, as an alternative or additional procedure for establishing a business improvement district and levying assessments; and 3) clarify existing provisions and update references to state law; and making a finding that California Constitution Article XIIID does not apply to the levy of business assessments authorized by Business and Tax Regulations Code Article 15.

09/25/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120964 **[Campaign and Governmental Conduct Code - Updating Conflict of Interest Code]**

Sponsor: Chiu

Ordinance amending the San Francisco Campaign and Governmental Conduct Code to update the City's Conflict of Interest Code.

09/25/12; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/25/2012.

120965 **[Business and Tax Regulations Code - Prevent Termination of Payroll Expense Tax Exclusion for Small Business Net New Payroll if Voters Adopt Gross Receipts Tax]**
Sponsors: Farrell; Campos, Elsbernd, Chu, Wiener and Cohen
Ordinance amending the San Francisco Business and Tax Regulations Code Article 12-A by amending Section 906.5 to prevent the Payroll Expense Tax Exclusion for Small Business Net New Payroll for years 2012 through 2015 from terminating in the event the voters of the City and County of San Francisco pass a gross receipts tax.
(Fiscal Impact)

09/25/12; ASSIGNED to Budget and Finance Committee.

120966 **[Administrative Code - Healthy Food Retailer Incentives Program]**
Sponsors: Mar; Olague
Ordinance amending the San Francisco Administrative Code by adding Chapter 59 (Sections 59.1-59.9) to establish a Healthy Food Retailer Incentives Program to oversee and coordinate the City's incentive and assistance programs for Healthy Food Retailers.

09/25/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/25/2012.

120967 **[Transportation, Police, and Business and Tax Regulations Codes - Motor Vehicles for Hire]**
Sponsor: Wiener
Ordinance: 1) amending the San Francisco Transportation Code, Division I, by: a) adding Section 1.4 confirming the transfer of jurisdiction over taxicabs to the San Francisco Municipal Transportation Agency (SFMTA) as originally memorialized in former Police Code Section 1075; b) adding Section 1.5, which is former Section 7.4 of the Transportation Code, requiring SFMTA to report quarterly to the Board of Supervisors on its progress increasing and improving taxi service; c) adding Section 1.6 consisting of former Section 1135.1(d) of the Police Code; d) amending Section 3.1(e) to clarify the authority of the Director of Transportation to designate staff who may enforce parking laws, and deleting Section 3.1(f), which makes such designations; e) adding Section 3.5 granting the SFMTA authority to subpoena evidence and testimony relevant to its enforcement of motor vehicle for hire regulations; f) amending Article 7 by renumbering existing Sections 7.3.1 - 7.3.11; g) amending Section 7.3.50 to increase the penalty for driving or operating a taxi without a permit; h) adding Section 7.3.56 making it a misdemeanor to operate a taxi without a functioning taximeter; i) adding Section 7.3.57 making it a misdemeanor for an operator of a charter party carrier to refuse to produce a waybill; and j) deleting Section 7.4; 2) amending the San Francisco Police Code by repealing Article 16 in its entirety; and 3) amending the San Francisco Business and Tax Regulations Code by repealing Section 76.5.

09/25/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/25/2012.

120299 **[Administrative Code - Extending Restrictions of the Apartment Conversion Ordinance to Business-Sponsored Short Term Occupancies; Allowing Civil Actions by Certain Non-Profit Entities; Revising Enforcement Procedures]**
Sponsors: Chiu; Mar
Ordinance amending the San Francisco Administrative Code by amending Chapter 41A to 1) extend the restrictions against converting apartment units to short-term occupancies to tenants or guests of business entities that rent such apartments; (2) allow civil actions to be brought by certain non-profit entities; (3) revise enforcement procedures; and 4) making environmental findings.

03/27/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/26/2012

04/02/12; REFERRED TO DEPARTMENT.

04/02/12; RESPONSE RECEIVED.

09/25/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

120352 **[Administrative Code - Housing Preservation and Production]**
Sponsors: Olague; Kim, Campos and Mar
Ordinance amending the San Francisco Administrative Code by 1) amending the title of Chapter 10E and adding Section 10E.4 to monitor San Francisco's housing preservation and production policies and goals; and 2) making environmental finding.

04/10/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/10/2012

04/16/12; REFERRED TO DEPARTMENT.

07/12/12; RESPONSE RECEIVED.

09/25/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

120434 **[Police Code - Amendments to Junk Dealer and Junk Gatherer Permit Process]**
Sponsor: Cohen
Ordinance amending the San Francisco Police Code Sections 974.1, 974.2, 974.4, 974.8, 974.9, 974.10-1, 974.11, 974.14-1, 974.14-2, 974.21, 974.22, 895, 2.26 and 2.27 and repealing Sections 974.5, 974.6, 974.10-2, 974.23 and 896 through 898 to: 1) cause all existing junk dealer and junk gatherer permits to expire as of December 31, 2012; 2) establish an annual permit for junk dealers with junk yards and a two-year permit for other junk dealers; 3) provide for permit suspensions and revocations to remain in effect during any administrative appeal; 4) amend the permit enforcement process; and 5) update fees; and making environmental findings.

05/01/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/31/2012

05/10/12; REFERRED TO DEPARTMENT.

05/10/12; TRANSFERRED to Land Use and Economic Development Committee.

05/11/12; REFERRED TO DEPARTMENT.

06/19/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

09/25/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

120968 [Accept and Expend - FY2011 CalHome Grant - $1,500,000]
Sponsor: Mayor
Resolution authorizing the Mayor's Office of Housing to accept and expend the FY2011 CalHome grant from the California Department of Housing and Community Development in a total amount of $1,500,000 and to expend program income from associated loan repayments to assist low-income first-time homebuyers and low-income homeowners.
09/25/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120969 [Approval of the Ryan White Act HIV/AIDS Emergency Relief Grant Program Application - $36,118,233]
Sponsors: Mayor; Wiener
Resolution authorizing the San Francisco Department of Public Health to submit an application to continue to receive funding for the Ryan White Act HIV/AIDS Emergency Relief Grant Program (Ryan White Programs, Part A) grant from the Health Resources Services Administration, requesting $36,118,233 in HIV emergency relief program funding for the San Francisco Eligible Metropolitan Area for the period of March 1, 2013, through February 28, 2014.

120970 [Authorizing the Installation of a "Rosie the Riveter" Plaque - Vallejo Street at Kearny Street]
Sponsor: Chiu
Resolution authorizing the installation of a new "Rosie the Riveter" bronze sidewalk plaque to replace the existing plaque in accordance with Public Works Code Sections 789 et seq., the Commemorative Street Plaque Ordinance.

Motions

120958 [Appointment, California State Association of Counties - Supervisor Eric Mar]
Motion appointing Supervisor Eric Mar, term ending November 28, 2013, to the California State Association of Counties Board of Directors. (Clerk of the Board)
09/25/12; RECEIVED AND ASSIGNED to Rules Committee.

Requests for Hearing

120971 [Hearing - Update on San Francisco's Public Safety Conditions]
Sponsor: Avalos
Hearing to receive a briefing on San Francisco's public safety conditions from the San Francisco Police Department and/or Mayor's Office of Criminal Justice, including: 1) an update on crime statistics citywide and broken down by police district station and/or neighborhood; 2) reports on arrests, charges, and prosecutions made; 3) information on the progress of crime fighting strategies and crime prevention programs; and 4) an other relevant information.
09/25/12; RECEIVED AND ASSIGNED to Public Safety Committee.

120972 **[Hearing - Status of Local Hiring, Union Hiring, and Payment of the Prevailing Wage by the America's Cup Even Authority]**
Sponsor: Avalos
Hearing to review the status of the America's Cup Event Authority's compliance with their commitments in the Workforce Development and Local Small Business Inclusion Plan to comply with the San Francisco's mandatory local hiring program and use union contractors for all construction and temporary installation work, and with the prevailing wage provisions in the San Francisco Administrative Code.

09/25/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120973 **[Hearing - Citizen's Advisory Committee for the Central Market and Tenderloin Area]**
Sponsor: Kim
Hearing on the six month report of the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area.

09/25/12; RECEIVED AND ASSIGNED to Rules Committee.

120974 **[Hearing - Potential Traffic Parking and Circulation Impacts of Target Shopping Center - Masonic and Geary]**
Sponsor: Mar
Hearing on the potential traffic parking and circulation impacts of the new Target shopping center at Masonic and Geary.

09/25/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120975 **[Hearing - Status of the Development Project Proposed for the Alexandria Theater]**
Sponsor: Mar
Hearing on the status of the development project proposed for the Alexandria Theater

09/25/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120977 **[Appointment, Sunshine Ordinance Task Force - Bruce Oka]**
Hearing to consider appointing one member, term ending April 27, 2013, to the Sunshine Ordinance Task Force. (Clerk of the Board)
Vacant seat 11, succeeding Jackson West, resigned, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2013.

09/25/12; RECEIVED AND ASSIGNED to Rules Committee.

Introduced by the President at the Request of a Department

Pursuant to Section 2.8 of the Rules of Order of the Board of Supervisors, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED ORDINANCE

120929 [Settlement of Lawsuit - City and County of San Francisco - $95,000]
Ordinance authorizing settlement of a lawsuit for breach of contract, declaratory judgment and permanent injunction filed by the City and County of San Francisco against Geary Courtyard Associates, ERP Operating Limited Partnership and Equity Residential, for $95,000; the lawsuit entitled City and County of San Francisco v. Geary Courtyard Associates, et al., Case No. CGC 12-520504, filed May 4, 2012, in San Francisco Superior Court. (City Attorney)

09/14/12; RECEIVED FROM DEPARTMENT.

09/18/12; RECEIVED AND ASSIGNED to Rules Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:14 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 30, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

AUG 15 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, October 2, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 11:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, Supervisor Farrell was noted absent. There was a quorum.

Supervisor Farrell Excused from Voting

Supervisor Chu, seconded by Supervisor Campos, moved that Supervisor Farrell be excused from voting. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Land Use and Economic Development Committee

120773 **[Planning Code - Reinstating Liquor License Controls and Establishing Conditional Use Requirement for Limited Restaurants - Union Street Neighborhood Commercial District]**
Sponsors: Farrell; Wiener
Ordinance amending the San Francisco Planning Code Section 725.1 to: 1) reinstate controls to prohibit liquor license types 47 and 49 in the Union Street Neighborhood Commercial District; and 2) requiring conditional use authorization for Limited Restaurants; and making environmental findings and findings of consistency with the General Plan.

Ordinance No. 214-12

FINALLY PASSED

Recommendations of the Rules Committee

120854 [Settlement of Lawsuit - Brock Rasmussen - $175,000]
Ordinance authorizing settlement of the lawsuit filed by Brock Rasmussen against the City and County of San Francisco for $175,000; the lawsuit was filed on January 11, 2010, in San Francisco Superior Court, Case No. CGC-10-495963; entitled Brock Rasmussen v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

120897 [Settlement of Claim - Laurel Dawn Teixeira - $80,000]
Resolution approving the settlement of the unlitigated claim filed by Laurel Dawn Teixeira against the City and County of San Francisco for $80,000; claim was filed on November 7, 2011. (City Attorney)

Resolution No. 360-12

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

120898 [Successor Agency to the Former Redevelopment Agency]
Sponsors: Mayor; Kim, Cohen and Olague

Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by: 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco;" 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law.

Ordinance No. 215-12

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Noes: 1 - Campos
Excused: 1 - Farrell

Recommendation of the Budget and Finance Committee

120751 [Appropriating $543,200,000 of Proceeds from the Sale of Bonds for Capital Improvement Projects to the Airport Commission - FY2012-2013]
Sponsors: Mayor; Chiu
Ordinance appropriating $543,200,000 of proceeds from the sale of bonds for capital improvement projects to the Airport Commission for FY2012-2013, and placing the total appropriation of $543,200,000 on Controller's Reserve pending sale of the bonds.
(Fiscal Impact)

Ordinance No. 213-12

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

Recommendations of the Land Use and Economic Development Committee

120142 [Transportation Code - Large Vehicle Parking Restrictions]
Sponsors: Chu; Cohen
Ordinance amending the San Francisco Transportation Code, Division I, Article 7, by adding Section 7.2.54 to prohibit the on-street parking of any vehicle over 22 feet in length or 7 feet in height, camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobilehomes, recreational vehicles, or semi-trailers, as defined by the California Vehicle Code and Health and Safety Code, between the hours of 12 a.m. and 6 a.m. when Municipal Transportation Agency signs are posted giving notice; and making environmental findings.

Ordinance No. 211-12

FINALLY PASSED by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Mar, Wiener
Noes: 4 - Avalos, Campos, Kim, Olague
Excused: 1 - Farrell

120318 [Police Code - Additional Penalties for Foreclosed Properties]
Sponsor: Cohen
Ordinance amending the San Francisco Police Code, Article 1, and adding Sections 96 to 96.6 to: 1) declare that public nuisances occurring at foreclosed properties be considered aggravating factors in imposing civil penalties and injunctive relief; 2) hold individuals and entities who own significant numbers of foreclosed properties to increased civil penalties for failing to maintain the properties; and 3) make environmental findings.

Ordinance No. 212-12

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

120928 **[Summary Vacation of Public Service Easement; Approval of Sale of Easement Interest - 1407-1435 Market Street]**
Sponsor: Kim
Ordinance ordering the summary vacation of public service easement and approving sale for $77,000 of City's interest in vacated easement over property located at 1407-1435 Market Street; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing official acts in furtherance of this Ordinance.

Ordinance No. 216-12

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

120523 **[Planning Code - Transit Impact Development Fee Increase and Updates]**
Sponsors: Mayor; Wiener and Olague
Ordinance amending the San Francisco Planning Code, Article 4, by: 1) revising and making technical corrections to specified definitions in Section 401 relating to the Transit Impact Development Fee (TIDF); 2) amending Sections 402, 408, 411 through 411.5, 411.7, 411.8, and adding a new Section 411.9 to increase TIDF rates, revise exemptions and credits, and clarify TIDF implementation and collection; and 3) making environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Supervisor Wiener, seconded by Supervisor Olague, moved that this Ordinance be CONTINUED ON FIRST READING to October 16, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

NEW BUSINESS

Recommendations of the Budget and Finance Committee

120903 **[Approving Updated Security Provisions for America's Cup Lease Disposition Agreement]**
Sponsor: Chu
Resolution approving revisions to the America's Cup Lease Disposition Agreement with respect to the security for certain obligations of the City; authorizing and directing the procurement of insurance coverage for the City's satisfaction of certain of such obligations; reaffirming the direction for ongoing staff progress reports as to the implementation of the America's Cup events; and authorizing related actions.
(Fiscal Impact)

Resolution No. 361-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

120908 [Contract - New Flyer of America, Inc. - Low Floor Diesel-Hybrid Buses - Not to Exceed $36,889,364]

Sponsors: Wiener; Chu

Resolution approving a contract with New Flyer of America, Inc., for the purchase of 45 40-foot low floor diesel-hybrid buses, and related tools, training and spare parts, through the Cooperative Purchasing Venture established by the State of Minnesota's Materials Management Division, in an amount not to exceed $36,889,364 for a term not to exceed six years.

Supervisor Chu requested to be added as a co-sponsor.

Privilege of the floor was granted to Nelson Howard (MTA) who responded to questions raised throughout the discussion.

Resolution No. 356-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

120931 [Real Property License Agreement - American Towers, LLC - 99 Moultrie]

Sponsor: Mayor

Resolution authorizing a renewal license agreement, with retroactive effective date, for telecommunications equipment from American Towers, LLC, at 99 Moultrie for use by the Department of Technology, the Department of Emergency Management, the Police Department and the Municipal Transportation Agency.

Resolution No. 362-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

Recommendations of the City Operations and Neighborhood Services Committee

120818 [Administrative Code - Repealing Provisions Extending the Expiration Date of the 2003 Minority Business Enterprise/Women Business Enterprise/Local Business Enterprise Ordinance]

Sponsor: Elsbernd

Ordinance amending the San Francisco Administrative Code by: 1) repealing Section 12D.A.22 and amending Section 14B.18 to repeal provisions extending expiration of Chapter 12D.A in the event the injunction in Coral Construction, Inc., v. City and County of San Francisco (S.F. Sup. Ct. No. 421249) is lifted or stayed; and 2) amending a cross-reference to Section 14B.18 in Section 14B.13(D)(5).

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

120643 **[Liquor License Transfer - 398-12th Street]**
Resolution determining that the premises to premises transfer of a Type 48 on-sale general public premises liquor license from 2700-16th Street to 398-12th Street (District 6) to Mark E. Rennie for Double Rainbow, LLC, dba Roadhouse Tavern, will serve the convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 358-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

120465 **[Liquor License - 937 Geary Street]**
Resolution determining that the issuance of a Type 42 on-sale beer and wine for public premises bar license to Mohammad Awadalla for Amsterdam Cafe, located at 937 Geary Street (District 6), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

Resolution No. 357-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

120721 **[Liquor License Transfer - 222 Powell Street]**
Resolution determining that the transfer of a Type 48 on-sale general public liquor license from 2237 Mason Street to 222 Powell Street (District 3) to Mark E. Rennie for Sirhed Enterprises, LLC, dba Sam's Cable Car Lounge, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

Resolution No. 359-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

Recommendations of the Land Use and Economic Development Committee

120463 **[General Plan - 2012 Community Safety Element Update]**
Sponsor: Wiener
Ordinance amending the San Francisco General Plan by adopting the 2012 Community Safety Element update; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b). (Planning Commission)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

120464 [Planning Code - Threshold for Application of Inclusionary Affordable Housing Program]

Sponsors: Mayor; Chiu, Kim, Wiener, Cohen and Chu

Ordinance amending the San Francisco Planning Code Section 415.3 to: 1) provide that, as of January 15, 2013, the requirements of the Inclusionary Affordable Housing Program apply only to housing projects of 10 units or more and will no longer apply to buildings of 5 to 9 units that have not yet received a first construction document; 2) make conforming amendments to Planning Code Section 419.3 related to the Application of the UMU Affordable Housing Requirements to clarify that those requirements only apply to housing projects of 10 units or more; and 3) condition operation of the Ordinance on the adoption and implementation of the Housing Trust Fund Charter Amendment at the November 6, 2012, election; setting an operative date; and making environmental findings and findings of consistency with the General Plan.

Supervisors Cohen and Chu requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

Recommendations of the Rules Committee

120921 [Appointment, Child Care Planning and Advisory Council - Alli Cuentos]

Motion appointing Alli Cuentos, term ending March 19, 2015, to the Child Care Planning and Advisory Council. (Clerk of the Board)

Motion No. M12-115

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

120925 [Appointment, Entertainment Commission - Naomi Akers]

Motion appointing Naomi Akers, term ending July 1, 2013, to the Entertainment Commission. (Clerk of the Board)

Motion No. M12-116

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

120927 [Appointments, Wage Theft Task Force - Ace Wiseman, Charlotte Noss, Terrence Valen, Shaw San Liu, Tina Liang Chen, Dawn Huston, Karen Heisler, and Mani Sheik]

Motion appointing Ace Wiseman, Charlotte Noss, Terrence Valen, Shaw San Liu, Tina Liang Chen, Dawn Huston, Karen Heisler, and Mani Sheik, terms to be determined, to the Wage Theft Task Force. (Clerk of the Board)

Motion No. M12-117

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

Recommendation of the Public Safety Committee

111239 **[Police Code - Vehicle Press Cards]**
Ordinance amending San Francisco Police Code Sections 939, 939.1, 939.3, 939.5, and 939.7, and repealing San Francisco Police Code Sections 939.2, 939.4, and 939.6, to remove the Chief of Police's authority to issue or regulate Vehicle Press Cards. (Municipal Transportation Agency)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Campos, seconded by Supervisor Olague, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Wild Side West in recognition of their accomplishments and continued community support.

Supervisor Campos introduced, welcomed, and presented Certificates of Honor to Officers David Sands and John Cathey of the San Francisco Police Department (Mission Community Neighborhood) in recognition of their extraordinary work, accomplishments, and continued community support. Captain Ron Moser (Police Department) shared in this commendation.

SPECIAL ORDER 4:00 P.M.

120866 **[Public Hearing - Conditional Use Appeal - 175 Junipero Serra Boulevard]**
Hearing of persons interested in or objecting to the decision of the Planning Commission's July 26, 2012, Conditional Use Authorization identified as Planning Case No. 2012.0348C, by its Motion No. 18674, under Planning Code Sections 209.3(f) and 303 to allow a child care facility for 15 or more children (dba Alpha Kids Academy) within an RH-1(D) (Residential, One-Family, Detached) District, and a 40-X Height and Bulk District, on property located at 175 Junipero Serra Boulevard, Assessor's Block No. 3250, Lot No. 006. (District 7) (Appellant: Margaret Finley) (Filed August 24, 2012).

The President indicated receipt of a letter from the Appellant, dated September 24, 2012, withdrawing their appeal. The President inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing closed.

HEARD AND FILED

120867 [Approving Planning Commission's Decision Related to the Conditional Use Authorization - 175 Junipero Serra Boulevard]

Motion approving the Planning Commission's decision, by its Motion No. 18674, approving the Conditional Use Authorization identified as Planning Case No. 2012.0348C on property located at 175 Junipero Serra Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M12-118

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

120868 [Disapproving Planning Commission's Decision Related to the Conditional Use Authorization - 175 Junipero Serra Boulevard]

Motion disapproving the Planning Commission's decision, by its Motion No. 18674, approving Conditional Use Authorization identified as Planning Case No. 2012.0348C on property located at 175 Junipero Serra Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

120869 [Preparation of Findings Related to the Conditional Use Authorization - 175 Junipero Serra Boulevard]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2012.0348C on property located at 175 Junipero Serra Boulevard. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Walter Paulson; shared in song certain concerns with the Board.
Vivian Imperiale; spoke in support for Sheriff Ross Mirkarimi.
Pedro Fernandez; spoke in support for Sheriff Ross Mirkarimi.
Eugene Gordon, Jr.; expressed various concerns.
Female Speaker; spoke in support for Sheriff Ross Mirkarimi.
Female Speaker; spoke in support for Sheriff Ross Mirkarimi.
Brenda Barros; spoke in support for Sheriff Ross Mirkarimi.
Male Speaker; expressed various concerns.
Tom Gilberty; expressed various concerns relating to noise pollution.
Anna Gabriel; spoke in support for Sheriff Ross Mirkarimi.
Peter Warfield; expressed concerns relating to the SF Public Library.
Male Speaker; expressed various religious concerns.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120970 **[Authorizing the Installation of a "Rosie the Riveter" Plaque - Vallejo Street at Kearny Street]**
Sponsor: Chiu
Resolution authorizing the installation of a new "Rosie the Riveter" bronze sidewalk plaque to replace the existing plaque in accordance with Public Works Code Sections 789 et seq., the Commemorative Street Plaque Ordinance.

Resolution No. 363-12

ADOPTED

The foregoing item was acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

120220 [Planning Code - Signage Requirements for Privately-Owned Public Open Spaces]
Sponsor: Chiu
Ordinance amending the San Francisco Planning Code to: 1) consolidate into Section 138 the requirements for privately-owned public open space; 2) create a new Zoning Administrator Bulletin that will contain detailed design and graphics requirements for the required informational plaques: and 3) make environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and Planning Code Section 101.1.

03/06/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/4/2012

03/15/12; REFERRED TO DEPARTMENT

03/15/12; RESPONSE RECEIVED.

07/11/12; RESPONSE RECEIVED

10/02/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee

120982 [Jack Early Commemorative Plaque - Stockton Street Adjacent to Washington Square]
Sponsor: Chiu
Ordinance: 1) commemorating the Stockton Street sidewalk adjacent to Washington Square Park under Public Works Code Sections 789 et seq., the Commemorative Street Plaque Ordinance: 2) accepting a plaque in honor of Jack Early as a gift to the City; 3) waiving permit and inspection fees for plaque installation; and 4) directing official acts in furtherance of this Ordinance.

10/02/12; ASSIGNED to Land Use and Economic Development Committee

120983 [Administrative Code - Release of Community Safety Camera Recordings to Public Defender and Criminal Defense Attorneys]
Sponsor: Olague
Ordinance amending the San Francisco Administrative Code Section 19.6 to require release of community safety camera recordings requested by the Public Defender or other criminal defense attorneys within five court days of the Department of Emergency Management's receipt of the request.

10/02/12; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 11/1/2012

120984 **[Police Code - Prohibiting Public Nudity]**
Sponsor: Wiener
Ordinance amending the San Francisco Police Code by adding Section 154 to prohibit nudity on public streets, sidewalks, parklets, and plazas, and on public transit vehicles, stations, platforms, and stops, except as part of permitted parades, fairs, and festivals.

10/02/12; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 11/1/2012

Resolutions

120985 **[CEQA Findings - San Antonio Backup Pipeline Project in Alameda County]**
Sponsor: Chu
Resolution adopting findings under the California Environmental Quality Act (CEQA), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations, related to the San Antonio Backup Pipeline Project, and directing the Clerk of the Board of Supervisors to notify the Controller of this action.

10/02/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120986 **[Lease - Transportation Security Administration - International Terminal and Terminal 2]**
Sponsor: Elsbernd
Resolution approving and authorizing the execution of Lease No. GS-09B-03014 with the Transportation Security Administration for terminal space to be occupied by the U.S. Transportation Security Administration, a Federal agency, in the International Terminal and Terminal 2 of the San Francisco International Airport with a term of five years.

10/02/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120987 **[Lease - Woodhouse Marina Green, LLC - Marina Degaussing Station Restaurant]**
Sponsor: Farrell
Resolution authorizing the Recreation and Park Department General Manager to enter into a lease with Woodhouse Marina Green, LLC, for the operation of a restaurant at the Marina Degaussing Station at the Marina Green with a term of ten years.
(Fiscal Impact)

10/02/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120988 **[Accept and Expend Grant - Assistive Technology California Disability Employment Initiative - $105,000]**
Sponsor: Mayor
Resolution authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $105,000 from the US Department of Labor, passed through California Employment Development Department for the Assistive Technology California Disability Employment Initiative for the period of October 1, 2011, through September 30, 2014.

10/02/12; RECEIVED AND ASSIGNED to Budget and Finance Committee

120989 **[Resolution of Intention - Moscone Expansion Business Improvement District]**
Sponsor: Mayor
Resolution: 1) declaring the intention of the Board of Supervisors to establish a business-based business improvement district to be known as the "Moscone Expansion District" and levy a multi-year assessment on defined hotel businesses in the district; 2) approving the management district plan for the district; 3) ordering and setting a time and place for a public meeting and a public hearing thereon; 4) approving the form of the Notice of Public Meeting and Public Hearing and Assessment Ballots; and 5) directing the Clerk of the Board of Supervisors to give notice of the public meeting and public hearing as required by law.
(Fiscal Impact)

10/02/12: RECEIVED AND ASSIGNED to Budget and Finance Committee.

120990 **[Reducing Greenhouse Gas Pollution Under the Clean Air Act]**
Sponsors: Chiu; Kim
Resolution in support of reducing greenhouse gas pollution under the Clean Air Act.

10/02/12: REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120991 **[Support of Statewide Education Funding Initiatives]**
Sponsor: Mar
Resolution urging the Board of Supervisors to support statewide education funding initiatives to help San Francisco's public educational system.

10/02/12: REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.8. Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED ORDINANCES

120959 **[Building Code - Fees and Permit Extensions]**
Ordinance amending the San Francisco Building Code Sections 106A.3.7, 106A.3.8.1, 106A.4.1, and 106A.4.4 to address permit expirations and extensions and Tables 1A-A, 1A-B, 1A-F, 1A-G, 1A-J, 1A-K, and 1A-L of Section 110A to modify various fees; and making environmental findings.
(Building Inspection Department)

09/24/12: RECEIVED FROM DEPARTMENT.

10/02/12: ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

120976 **[Settlement of Lawsuit - Rehab Financial Corporation - City to Receive $164,099]**
Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Rehab Financial Corporation, Gayle Bloomingdale, and Barbara Wood for payment to the City of $164,099; the lawsuit was filed on March 30, 2010, and is pending in San Mateo County Superior Court, Case No. CIV506113; entitled City and County of San Francisco, et al., v. Rehab Financial Corporation, et al. (City Attorney)

09/21/12. RECEIVED FROM DEPARTMENT

10/02/12. RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

120960 **[Support Goals for Federal Funding - Community Development Block Grant, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Programs - FY2013-2014]**
Resolution supporting FY2013-2014 Community Development Block Grant, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Consolidated Plan Goals. (Mayor's Office of Housing)

09/20/12; RECEIVED FROM DEPARTMENT.

10/02/12. RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mar
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Requesting the Municipal Transportation Agency to report on the feasibility of:
1) Installing a 4-way stop sign at Clement St. and 12th Ave.
2) Installing a 4-way stop sign at Balboa St. and 27th Ave.
3) Installing a 2-way stop sign near 902 Point Lobos at mid-block crosswalk.
4) Installing a bus shelter at Balboa St. and 43rd Ave., outbound side.
5) Removal of unused bus shelter at Cabrillo St. and La Playa St.

From: Supervisor Mar
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the feasibility of: Replacing old and damaged news racks at:
1) 25 Point Lobos
2) Balboa St. and 6th Ave.
3) Balboa St. and 37th Ave.
4) Balboa St. and 38th Ave.
5) Geary Blvd. and 16th Ave.
6) Geary Blvd. and 19th Ave.
7) Geary Blvd. and 21st Ave.

In Memoriams

Henry Rabbitt – Supervisor Sean Elsbernd
Gary Kray – Supervisor David Chiu
Munir Khalil Suleiman – Supervisor David Chiu
Robert Lauter – Supervisor David Chiu

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:06 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 6, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT DOCUMENTS DEPT
AUG 15 2013
SAN FRANCISCO PUBLIC LIBRARY

Tuesday, October 9, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Special Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 11:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

OFFICIAL MISCONDUCT HEARING

Board of Supervisors Sitting as a Committee of the Whole

120949 [Hearing - Determination on Charges of Official Misconduct Proceedings Against Sheriff Ross Mirkarimi]

Hearing to consider the recommendation of the San Francisco Ethics Commission related to the charges of Official Misconduct presented by Mayor Edwin Lee against Sheriff Ross Mirkarimi, pursuant to Charter Section 15.105(a). (Presented by Mayor on 3/21/12.) (Received from Ethics Commission on 9/18/12). (Clerk of the Board)

The President provided an overview of the process and inquired as to whether any member of the public wished to address the Committee of the Whole relating to determination on charges of official misconduct proceedings against Sheriff Ross Mirkarimi. Ben Hur, Chair, San Francisco Ethics Commission, provided an overview of the Ethics Commission's determination. A question and answer period followed. Sherri Kaiser (Mayor's Counsel); provided an overview of the Mayor's charges of official misconduct. A question and answer period followed. David Waggoner and Shephard Kopp (Sheriff's Counsel); provided an overview of the facts of the alleged charges of official misconduct. A question and answer period followed. Sherri Kaiser (Mayor's Counsel); provided a rebuttal and further requested the Board to sustain the charges of official misconduct. Nicole Barron; Elizabeth Curtain; Gabby Herrera; Lucia Hernon; Barbara Marquez. Beverly Upton; Male Speaker; Female Speaker; Sheila Rivera; Katherine Berg; Anne Steward; Richard Gorman; Brianne Morgan; expressed support for sustaining the charges. Abdallah Megahed; Art Agnos (Former Mayor); Diana Hamilton; Margaret Brooks; George Goyarres; James Chaffee; Paulette Brown; Hertha McGuire; James Sealy; Maurice James; Jerome May; Male Speaker; Sylvia Alvarez Lynch; Patrick Monette Shaw; Arthur Morrillo; Rudy; Rosario Cervantes; Female Speaker; Nancy Kier; Female Speaker; Pierre Dayron; Emilio; Pedro Finn; Male Speaker; Jerry Anders; Mindy Enner; Paul Melbostadt; Sanford Forte; Aurora; Sylvia Ramirez; Joe Rochelle; Male Speaker; Male Speaker; Reso Ashad; Emile Lawrence; Satyr; Brenda Belles; Nick Ochapenti; Johnny Effey; Patrick Connors; Female Speaker; Ron Stokes; Patricia Forsythe; Donna Orvela; Male Speaker; Josh Wolf; Steven Hill; Michael Feinstein; Erika McDonald; Cathy Black; Cynthia; Male Speaker; Arnold Fields; Gillian Etherington; Ms. Khan; Daniel; Theresa Cooper; Female Speaker; Ernestine Weiss; Sonia Melara; Michael O'Rourke; Female Speaker; Ray Hart; Jose Morales; Nina; Lindsay Vurek; Male Speaker; Ed Kinchley; Maria Guillen; Vivian Imperiale; Beni; Male Speaker; Austin James; Male Speaker; Alicia; Tess Hawthorne; Female Speaker; Val McKenna; Female Speaker; Edward Swovski; Gus Feldman; Female Speaker; Don Backner; Emmitt Powell; Sharen Hewitt; Katie; Peter Warfield; Male Speaker; Reverand Roland Gordon; Eric Brooks; Don Eichelburg; Chris Lychel; Frank Martin del Campo; Frachesca Rosa; Moira Cyrus; Female Speaker; Julie Fisher; Zack Marks; Male Speaker; Isabel; Male Speaker; Laurie Liederman; Kimberly Hathaway; Everett; Richard Stone; Robert Meyer; Cable Holland; Steve Zeltzer; Lucy Kiefer; Laural Muniz; Christy O'Keene; Valerie Tulier; Paul Currier; Louisa; Male Speaker; Otto Duffy; Paula Canny; Male Speaker; Lia; David Elliot Lewis; Rosa Moss; Rod Cayman; Ann Garrison; Robert Newman; Ace Washington; Female Speaker; Chad Connor; Tammy Bryant; Female Speaker; Tad Buckner; Larry Juicye Edmond; Alex; Female Speaker; Female Speaker; Male Speaker; expressed opposition for sustaining the charges. Male Speaker; spoke neither in support or opposition to the charges. Paul Currier; expressed various concerns (See additional information submitted on Page 5). There were no other speakers. The President declared the public hearing closed, adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

120950 **[Determination - Sustaining the Charges of Official Misconduct Against Sheriff Ross Mirkarimi]**

Motion sustaining the charges of Official Misconduct against Sheriff Ross Mirkarimi presented by Mayor Edwin Lee. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED. The motion FAILED by the following vote:

Ayes: 7 - Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Wiener

Noes: 4 - Avalos, Campos, Kim, Olague

120951 **[Determination - Not Sustaining the Charges of Official Misconduct Against Sheriff Ross Mirkarimi]**

Motion not sustaining the charges of Official Misconduct against Sheriff Ross Mirkarimi presented by Mayor Edwin Lee. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Wiener

Noes: 4 - Avalos, Campos, Kim, Olague

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

GENERAL PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Otto Duffy; expressed various concerns.
Steve Hill; expressed concerns relating to public comment.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

111278 [Planning Code, Zoning Map - Establishing the Art and Design Educational Special Use District - 1111 Eighth Street]
Sponsor: Cohen
Ordinance amending the San Francisco Planning Code by adding Section 249.67 and amending Section Map SU08 of the Zoning Map to: 1) establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts and provide a regulatory scheme for a potential future phased expansion of the campus; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

11/22/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee

12/08/11; REFERRED TO DEPARTMENT.

01/31/12; REMAIN ACTIVE.

05/10/12; REMAIN ACTIVE.

10/09/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee

120882 [Administrative Code - Board of Supervisors Review of Affordable Housing Trust Fund]
Sponsor: Chiu
Ordinance amending the San Francisco Administrative Code by adding Section 1.60 to require the Mayor's Office of Housing and the Planning Department to report to the Board of Supervisors every five years on the implementation of Charter Section 16.110, the Affordable Housing Trust Fund Charter Amendment.

09/04/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/4/2012

09/14/12; REFERRED TO DEPARTMENT.

10/09/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee

120996 **[Planning Code - Efficiency Dwelling Units - Numerical Cap and Open/Common Space Requirements]**
Sponsor: Wiener
Ordinance amending the San Francisco Planning Code by: 1) adding Section 318 to put a cap on the number of Efficiency Dwelling Units, as defined in the Building Code, that can be constructed with reduced square footage unless the units are group housing, affordable housing, or student housing; 2) amending Section 135(d) and adding Section 135.4 to impose open space and common space requirements on Efficiency Dwelling Units with reduced square footage; and 3) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

10/09/12, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

120997 **[Appropriating $2,705,000 for San Francisco Unified School District - FY2012-2013]**
Sponsors: Kim; Campos, Mar, Avalos and Olague
Ordinance appropriating $3,000,000 of State Reserves for the San Francisco Unified School District for FY2012-2013.
(Fiscal Impact)

10/09/12, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

Request for Hearing

120999 **[Hearing - Power Outages on Treasure Island]**
Sponsor: Kim
Hearing regarding the City's response to the frequent number of unplanned power outages on Treasure Island, including reports from the City Administrator's Office, Treasure Island Development Authority Operations, and the San Francisco Public Utilities Commission regarding the current monitoring, inspections, maintenance, and response times to reports of outages on the Island; and requesting solutions be presented that will improve the reliability of service to Island residents.

10/09/12, RECEIVED AND ASSIGNED to Rules Committee.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED RESOLUTIONS

120980 [Expansion of Authority Regarding Lease - 1455 Market Street]
Resolution authorizing additional allowance of up to $10.00 per rentable square foot for construction of improvements amortized by Landlord over initial term of seven years at eight percent to be paid as additional rent in the amount of $3,809.27 per month for property located at 1455 Market Street. (Real Estate Department)
(Fiscal Impact)

10/01/12; RECEIVED FROM DEPARTMENT.

10/09/12; RECEIVED AND ASSIGNED to Budget and Finance Committee

120981 [Approval of Construction of Structures in Union Square Park for Central Subway Project]
Resolution approving, under Charter Section 4.113, construction of surface and subsurface structures in Union Square Park for the Central Subway Project's Union Square Market Street Station. (Municipal Transportation Agency)

10/01/12; RECEIVED FROM DEPARTMENT.

10/09/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 11:03 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 20, 2012.

ADDENDUM

The following information is provided by a speaker, pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Paul Currier submitted the following additional information during the hearing relating to File No. 120949 as follows: All through these hearings of the Mayor's charges against the Sheriff, the Ethics Commission violated the Brown Act and the San Francisco Sunshine Ordinance. None of the proceedings were properly agendized. None of the minutes were issues in a timely manner, according to law. Public records were not made available to the public. And the charges shape/shifted without any specificity open to review or public comment. In fact, this October 9, 2012, hearing of the Board of Supervisors is improperly agendized. The Ethics Commission and the Board of Sup[ervisors have committed official misconduct.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT DOCUMENTS DEPT
AUG 15 2013
SAN FRANCISCO PUBLIC LIBRARY

Tuesday, October 16, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 11:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, Supervisor Mar was noted absent.

Supervisor Mar was noted present at 2:06 p.m.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

121000 [Formal Policy Discussions - October 16, 2012]
Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing Districts 1, 3, and 9. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. I recently introduced legislation that will address the relative lack of access to fresh food in some of our neighborhoods, including the Outer Richmond, where many seniors do not have enough stores that can provide for their nutritional needs. The Healthy Food Retailer Incentives Program will coordinate the critically needed efforts of the Office of Economic and Workforce Development and the Department of Public Health that are already underway. These pilot programs in the Tenderloin and the Bayview are helping convenience and corner stores move away from a reliance on alcohol and tobacco products to be able to provide fresh produce and other healthy foods to those neighborhoods that need healthy options the most. My legislation will help to sustain and expand these efforts. I would like to know if you will support this effort and commit to helping us fund the OEWD staff position that will coordinate our new Fresh Food Retailer Incentives Program? (Supervisor Mar, District 1)

2. San Francisco is facing a $4 billion retiree health care liability. What is your Administration doing to address this challenge? (Supervisor Chiu, District 3)

3. I believe that I am not alone among my colleagues on the Board of Supervisors when I respectfully submit that Mayoral Question Time is not as useful as it could be. I would appreciate the opportunity to engage with you about important policy issues facing my district and the City, but I do not believe that the current structure of Question Time allows for the kind of meaningful dialogue some of us would like to see. Would you support restructuring Mayoral Question Time in order to allow members of the Board of Supervisors to ask follow-up questions and engage in a dialogue with you about the critical issues facing our city and residents? (Supervisor Campos, District 9)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendation of the Government Audit and Oversight Committee

120803 [Urging Relocation and Broadcasting of the Housing Authority Meetings]
Sponsors: Olague; Campos, Chiu, Kim and Mar
Resolution urging the Commission of the Housing Authority of the City and County of San Francisco to hold its meetings at City Hall and broadcast them for greater public access.

Resolution No. 378-12

ADOPTED

Recommendation of the Rules Committee

120929 **[Settlement of Lawsuit - City and County of San Francisco - $95,000]**
Ordinance authorizing settlement of a lawsuit for breach of contract, declaratory judgment and permanent injunction filed by the City and County of San Francisco against Geary Courtyard Associates, ERP Operating Limited Partnership and Equity Residential, for $95,000; the lawsuit entitled City and County of San Francisco v. Geary Courtyard Associates, et al., Case No. CGC 12-520504, filed May 4, 2012, in San Francisco Superior Court. (City Attorney)

PASSED, ON FIRST READING

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

120818 **[Administrative Code - Repealing Provisions Extending the Expiration Date of the 2003 Minority Business Enterprise/Women Business Enterprise/Local Business Enterprise Ordinance]**
Sponsor: Elsbernd
Ordinance amending the San Francisco Administrative Code by: 1) repealing Section 12D.A.22 and amending Section 14B.18 to repeal provisions extending expiration of Chapter 12D.A in the event the injunction in Coral Construction, Inc., v. City and County of San Francisco (S.F. Sup. Ct. No. 421249) is lifted or stayed; and 2) amending a cross-reference to Section 14B.18 in Section 14B.13(D)(5).

Ordinance No. 220-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee

120463 [General Plan - 2012 Community Safety Element Update]
Sponsor: Wiener
Ordinance amending the San Francisco General Plan by adopting the 2012 Community Safety Element update; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b). (Planning Commission)

Ordinance No. 218-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120464 [Planning Code - Threshold for Application of Inclusionary Affordable Housing Program]
Sponsors: Mayor; Chiu, Kim, Wiener, Cohen and Chu
Ordinance amending the San Francisco Planning Code Section 415.3 to: 1) provide that, as of January 15, 2013, the requirements of the Inclusionary Affordable Housing Program apply only to housing projects of 10 units or more and will no longer apply to buildings of 5 to 9 units that have not yet received a first construction document; 2) make conforming amendments to Planning Code Section 419.3 related to the Application of the UMU Affordable Housing Requirements to clarify that those requirements only apply to housing projects of 10 units or more; and 3) condition operation of the Ordinance on the adoption and implementation of the Housing Trust Fund Charter Amendment at the November 6, 2012, election; setting an operative date; and making environmental findings and findings of consistency with the General Plan.

Ordinance No. 219-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120523 [Planning Code - Transit Impact Development Fee Increase and Updates]
Sponsors: Mayor; Wiener and Olague
Ordinance amending the San Francisco Planning Code, Article 4, by revising and making technical corrections to specified definitions in Section 401 relating to the Transit Impact Development Fee (TIDF), amending Sections 402, 408, 411 through 411.5, 411.7, 411.8, and adding a new Section 411.9 to increase TIDF rates, revise exemptions and credits, and clarify TIDF implementation and collection, and making environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

Supervisor Wiener, seconded by Supervisor Chu, moved that this Ordinance be CONTINUED ON FIRST READING to November 20, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Public Safety Committee

111239 **[Police Code - Vehicle Press Cards]**
Ordinance amending San Francisco Police Code Sections 939, 939.1, 939.3, 939.5, and 939.7, and repealing San Francisco Police Code Sections 939.2, 939.4, and 939.6, to remove the Chief of Police's authority to issue or regulate Vehicle Press Cards. (Municipal Transportation Agency)

Ordinance No. 217-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Rules Committee

120854 **[Settlement of Lawsuit - Brock Rasmussen - $175,000]**
Ordinance authorizing settlement of the lawsuit filed by Brock Rasmussen against the City and County of San Francisco for $175,000; the lawsuit was filed on January 11, 2010, in San Francisco Superior Court, Case No. CGC-10-495963; entitled Brock Rasmussen v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 221-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

From the Budget and Finance Committee Without Recommendation

120904 **[Real Property Lease - 2650 Bayshore Boulevard - Towed Car Operations and Other Transit Related Uses]**
Sponsor: Elsbernd
Resolution authorizing the lease of an approximate 12.72 acre property with 255,420 rentable square feet of warehouse, office and parking lot space at 2650 Bayshore Boulevard, Daly City, California, from Prologis, L.P. for a 20-year term, plus two five-year extension options, at an initial annual base rent of $2,449,642 with annual increases, for the San Francisco Municipal Transportation Agency's towed car operations and other transit related uses.
(Fiscal Impact)

Privilege of the floor was granted to Kerstin Magary (MTA) who responded to questions raised throughout the discussion.

Resolution No. 365-12

ADOPTED by the following vote:

Ayes: 8 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Noes: 3 - Avalos, Campos, Olague

Recommendations of the Budget and Finance Committee

120905 [Accept and Expend Grant - Twin Peaks Trail System Improvements - $131,041]
Sponsor: Elsbernd
Resolution authorizing the Recreation and Park Department to accept and expend a Habitat Conservation Fund Grant in the amount of $131,041 from the California Department of Parks and Recreation for the Twin Peaks Trail System Improvements.

Resolution No. 366-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120906 [Approval of Amendment to the Construction Management Services Agreement for the Laguna Honda Hospital Replacement Program - $16,805,733]
Sponsor: Elsbernd
Resolution authorizing the Director of Public Works to execute an amendment to the construction management services agreement with Cooper Pugeda Management, Inc. for the Laguna Honda Hospital Replacement Program from $16,694,421 to $16,805,733.
(Fiscal Impact)

Resolution No. 367-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120907 [Accept and Expend Grant - South of Market Alleyways Improvement Project - $1,381,000]
Sponsor: Kim
Resolution authorizing the Department of Public Works to accept and expend a federal grant in the amount of $1,381,000 from the Metropolitan Transportation Commission for the South of Market Alleyways Improvement Project.

Resolution No. 368-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120909 [Contract Approval - Complete Coach Works - 80 Neoplan Diesel Buses Rehabilitation - Not to Exceed $19,105,885.60]
Sponsor: Wiener
Resolution approving Contract No. CPT 631, Neoplan rehabilitation, between the City and County of San Francisco and Complete Coach Works to rebuild major systems and components on approximately 80 standard Neoplan diesel buses, in an amount not to exceed $19,105,885.60, and for a term not to exceed six years, with expenditures limited to $12 million pending certification of additional funding.

Resolution No. 369-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120910 **[Approval of the Comprehensive HIV Prevention Programs Application - $9,523,313]**
Sponsor: Wiener
Resolution authorizing the San Francisco Department of Public Health to submit a one-year application for calendar year 2013 to continue to receive funding for the Comprehensive HIV Prevention Programs grant from the Centers for Disease Control and Prevention, requesting $9,523,313 in HIV prevention funding for San Francisco; from January 1, 2013, through December 31, 2013.

Resolution No. 370-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120934 **[Ratification of Prior Action - Lease Option at 555-575 Polk Street]**
Sponsor: Kim
Resolution ratifying an option for the lease of 9,000 square feet at 555-575 Polk Street with Mattison Family Trust.

Resolution No. 371-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120935 **[Accept and Expend Grant - Certified Unified Program Agency Electronic Reporting - $109,492]**
Sponsor: Mar
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $109,492 from California Environmental Protection Agency to participate in a program entitled "Certified Unified Program Agency Electronic Reporting" for the period of January 1, 2010, through March 31, 2013, waiving indirect costs.

Resolution No. 372-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120936 **[Accept and Expend Grant - Energy Efficiency Program - $156,000]**
Sponsor: Mar
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $156,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to continue an Energy Use and Demand Reduction Through Energy Efficiency Program in the City and County of San Francisco during 2012.

Resolution No. 373-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120938 **[Agreement with Pacific Gas and Electric Company to Connect a Solar Power Project]**
Sponsor: Wiener
Resolution authorizing the San Francisco Public Utilities Commission General Manager to enter into a long term interconnection agreement with Pacific Gas and Electric Company for a solar power project at the Alvarado Elementary School pursuant to San Francisco Charter Section 9.118(b).

Resolution No. 374-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120968 **[Accept and Expend - FY2011 CalHome Grant - $1,500,000]**
Sponsor: Mayor
Resolution authorizing the Mayor's Office of Housing to accept and expend the FY2011 CalHome grant from the California Department of Housing and Community Development in a total amount of $1,500,000 and to expend program income from associated loan repayments to assist low-income first-time homebuyers and low-income homeowners.

Resolution No. 375-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120969 **[Approval of the Ryan White Act HIV/AIDS Emergency Relief Grant Program Application - $36,118,233]**
Sponsors: Mayor; Wiener
Resolution authorizing the San Francisco Department of Public Health to submit an application to continue to receive funding for the Ryan White Act HIV/AIDS Emergency Relief Grant Program (Ryan White Programs, Part A) grant from the Health Resources Services Administration, requesting $36,118,233 in HIV emergency relief program funding for the San Francisco Eligible Metropolitan Area for the period of March 1, 2013, through February 28, 2014.

Resolution No. 376-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Government Audit and Oversight Committee

120750 **[Administrative Code - Retention of Progressive Payments for Public Works Construction Contracts]**
Sponsors: Mayor; Chu
Ordinance amending the San Francisco Administrative Code Section 6.22(J) to reduce the amount of retention withheld from progress payments in construction contracts from ten to five percent; and to make minor clarifying corrections.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120787 **[Board Response - Civil Grand Jury Report - Surcharges and Healthy San Francisco: Healthy for Whom?]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2011-2012 Civil Grand Jury report entitled "Surcharges and Healthy San Francisco: Healthy for Whom?" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

Resolution No. 377-12

ADOPTED by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener

Noes: 5 - Avalos, Campos, Kim, Mar, Olague

120884 **[Accept and Expend Grant - Self-Contained Breathing Apparatus Inventory - $1,514,184]**

Sponsor: Farrell

Resolution authorizing the San Francisco Fire Department to accept and expend a grant in the amount of $1,514,184 from the Federal Emergency Management Agency to upgrade and replace its self-contained breathing apparatus inventory.
(Fiscal Impact)

Resolution No. 364-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee

120299 **[Administrative Code - Extending Restrictions of the Apartment Conversion Ordinance to Business-Sponsored Short Term Occupancies; Allowing Civil Actions by Certain Non-Profit Entities; Revising Enforcement Procedures]**

Sponsors: Chiu; Mar

Ordinance amending the San Francisco Administrative Code, Chapter 41A, to extend the restrictions against converting apartment units to short-term occupancies to tenants or guests of business entities that rent such apartments, allow civil actions to be brought by certain non-profit entities, revise enforcement procedures, and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120774 **[Planning Code - Permitting a Five Feet Ground Floor Height Increase for Active Ground Floor Uses in the Castro Street and the 24th Street - Noe Valley Neighborhood Commercial Districts]**
Sponsor: Wiener
Ordinance amending the San Francisco Planning Code by: 1) amending Section 263.20 to permit a five feet ground floor height increase for active ground floor uses in the Castro Street and the 24th Street - Noe Valley Neighborhood Commercial Districts; 2) replacing the figure in Section 263.20; 3) amending Sections 715.1 and 728.1 to make reference to this height exception; and 4) making findings including environmental findings and findings of consistency with Planning Code Section 101.1 and the General Plan.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120352 **[Administrative Code - Housing Preservation and Production]**
Sponsors: Olague; Kim, Campos and Mar
Ordinance amending the San Francisco Administrative Code by 1) amending the title of Chapter 10E and adding Section 10E.4 to monitor San Francisco's housing preservation and production policies and goals; and 2) making environmental finding.
(Supervisor Wiener dissented in Committee.)

Supervisor Wiener, seconded by Supervisor Cohen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Privilege of the floor was granted to AnMarie Rodgers (Planning Department) who responded to questions raised throughout the discussion.

Supervisor Olague, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING to October 23, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Rules Committee

111160 **[Business and Tax Regulations Code - Revisions to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area]**
Sponsor: Kim
Ordinance amending the San Francisco Business and Tax Regulations Code Section 906.3-1 to clarify how members of the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area shall be appointed for their initial terms.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120858 **[Appointments, Commission of Animal Control and Welfare - Annemarie Fortier, Susana Russo, and Shari B. O'Neill]**
Motion appointing Annemarie Fortier, Susanna Russo, and Shari B. O'Neill, terms ending April 30, 2014, to the Commission of Animal Control and Welfare. (Clerk of the Board)

Motion No. M12-119

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120954 **[Appointment, Graffiti Advisory Board - Paul Giusti]**
Motion appointing Paul Giusti, term ending April 10, 2013, to the Graffiti Advisory Board. (Clerk of the Board)

Motion No. M12-120

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120956 **[Appointments, Immigrant Rights Commission - Vera Haile, Haregu Gaime, Teresa Chee, and Elahe Enssani]**
Motion appointing Vera Haile, Haregu Gaime, Teresa Chee, and Elahe Enssani, terms ending June 6, 2014, to the Immigrant Right Commission. (Clerk of the Board)

Motion No. M12-121

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120977 **[Appointment, Sunshine Ordinance Task Force - Bruce Oka]**
Motion appointing Bruce Oka, term ending April 27, 2013, to the Sunshine Ordinance Task Force. (Clerk of the Board)

Motion No. M12-122

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Mar Excused from Voting

Supervisor Campos, seconded by Supervisor Olague, moved that Supervisor Mar be excused from voting on File No. 120958. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener
Excused: 1 - Mar

120958 **[Appointment, California State Association of Counties - Supervisor Eric Mar]**
Motion appointing Supervisor Eric Mar, term ending November 28, 2013, to the California State Association of Counties Board of Directors. (Clerk of the Board)

Motion No. M12-123

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener
Excused: 1 - Mar

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Olague, seconded by Supervisor Campos, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guest. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Olague introduced, welcomed, and presented a Certificate of Honor to Elizabeth Jones for her committed service to the Westside Courts public housing community.

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to government.
Walter Paulson; shared in song certain concerns with the Board.
Eugene Gordon, Jr.; expressed various concerns.
Tom Gilberty; expressed various concerns relating to noise pollution.
Douglas Yep; expressed various concerns.
Male Speaker; expressed various religious concerns.
Male Speaker; expressed various concerns.
Female Speaker; spoke in support for Senior Action Network.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.
Male Speaker; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120990 **[Reducing Greenhouse Gas Pollution Under the Clean Air Act]**
Sponsors: Chiu; Kim
Resolution in support of reducing greenhouse gas pollution under the Clean Air Act.

Resolution No. 379-12

ADOPTED

120978 **[Final Map 7086 - 248 Ocean Avenue]**
Motion approving Final Map 7086, a Five Residential Unit and One Commercial Unit Mixed-Use Condominium Project, located at 248 Ocean Avenue being a subdivision of Assessors Block No. 3211, Lot No. 009 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

Motion No. M12-124

APPROVED

120979 **[Final Map 7077 - 38 Harriet Street]**
Motion approving Final Map 7077, a 23 Unit Residential Condominium Project, located at 38 Harriet Street being a subdivision of Assessors Block No. 373, Lot No. 243 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

Motion No. M12-125

APPROVED

120995 **[Final Map 7186 - 537-541 Natoma Street]**
Motion approving Final Map 7186, a 13 Residential Unit Condominium Project, located at 537-541 Natoma Street being a subdivision of Assessors Block No. 3726, Lot No. 047 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M12-126

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Wiener requested that File No. 120991 be severed so that it may be considered separately.

120991 **[Support of Statewide Education Funding Initiatives]**
Sponsor: Mar
Resolution urging the Board of Supervisors to support statewide education funding initiatives to help San Francisco's public educational system.

Supervisor Wiener, seconded by Supervisor Mar, moved that this Resolution be AMENDED on Page 2, beginning on Line 14, by adding 'FURTHER RESOLVED, That the San Francisco Board of Supervisors expresses its strong disapproval of recent attacks on Proposition 30 and requests that the supporters of Propositions 30 and 38 refrain from attacking one another.' The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Resolution No. 380-12

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

Introduced by a Supervisor or the Mayor

Ordinances

120901 [Planning Code - Upper Market Zoning]
Sponsor: Wiener
Ordinance amending the San Francisco Planning Code by: 1) amending Sections 721.1 and 733.1 to modify the explanation of the boundaries of the Upper Market Street Neighborhood Commercial District and the Upper Market Street Neighborhood Commercial Transit District; 2) amending Section 703.2(b) to permit in a limited area food processing as an accessory use to a nearby off-site non-residential use; and 3) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

09/18/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee

09/19/12; REFERRED TO DEPARTMENT.

10/16/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee

120902 [Planning Code, Zoning Map - Upper Market Zoning Map Amendment]
Sponsor: Wiener
Ordinance amending the San Francisco Planning Code Sectional Map Sheets ZN07 and HT07 to change the use classification of specified lots on Assessor's Block Nos. 3561 through 3565, now in the Upper Market Neighborhood Commercial District to the Upper Market Neighborhood Commercial Transit District, and to change the height and bulk classification of Assessor's Block No. 3563, Lot No. 034 from 50-X to 65-B; and adopting findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

09/18/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee

09/19/12; REFERRED TO DEPARTMENT.

10/16/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee

121017 **[Administrative Code - Citywide Coordination of Open Data Policy and Procedures]**
Sponsors: Mayor; Chiu
Ordinance amending the San Francisco Administrative Code Sections 22D.2 and 22D.3 relating to San Francisco's open data policies and procedures and establishing the position and duties of Chief Data Officer and Departmental Data Coordinators.
(Fiscal Impact)

10/16/12: ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 11/15/2012.

121018 **[Housing Code - Telephone Jacks and Grab Bars]**
Sponsors: Mar, Olague, Chiu, Campos, Kim and Avalos
Ordinance amending the San Francisco Housing Code by: 1) amending Section 206 to add Section 1002 to the list of retroactive provisions; 2) amending Section 505 to require grab bars in hotel common-use water closets and bathing facilities; 3) amending Section 1002 to include as a substandard housing condition the failure to provide a usable telephone jack and telephone wiring as required by the California Civil Code; and 4) making environmental findings, legislative findings, and findings pursuant to California Health and Safety Code Section 17958.5.

10/16/12: ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/15/2012.

121019 **[Administrative Code - California Environmental Quality Act Procedures]**
Sponsor: Wiener
Ordinance amending the San Francisco Administrative Code Chapter 31 to reflect revisions in the California Environmental Quality Act and to update and clarify certain procedures provided for in Chapter 31.

10/16/12: ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/15/2012.

Resolutions

121020 **[Real Property Purchase Agreement - 1550 Evans Avenue and 330 Newhall Street - San Francisco Public Utilities Commission - $15,000,000]**
Sponsor: Cohen
Resolution approving and authorizing an agreement for the purchase of a parcel of real estate located at 1550 Evans Avenue and 330 Newhall Street (Assessor Block No. 5203, Lot No. 035), consisting of approximately 4.68 acres improved with 50,593 square feet of office/industrial buildings for the San Francisco Public Utilities Commission, for a purchase price of $15,000,000; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution.
(Fiscal Impact)

10/16/12: RECEIVED AND ASSIGNED to Budget and Finance Committee.

121021 [Multifamily Housing Revenue Note - Candlestick Heights Apartments - 833-881 Jamestown Street - Not to Exceed $70,000,000]

Sponsor: Cohen

Resolution authorizing the issuance and delivery of a multifamily housing revenue note in a principal amount not to exceed $70,000,000 for the purpose of providing financing for the acquisition and construction of a 196-unit multifamily residential rental housing project located at 833-881 Jamestown Street, known as Candlestick Heights Apartments; 1) approving the form of and authorizing the execution of a funding loan agreement; 2) approving the form of and authorizing the execution of a borrower loan agreement; 3) providing the terms and conditions of the note and authorizing the execution and delivery thereof; 4) approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; 5) authorizing the collection of certain fees; 6) approving modifications, changes, and additions to the documents; 7) granting general authority to City officials to take actions necessary to implement this Resolution; and 8) ratifying and approving any action heretofore taken in connection with the note and the project.

10/16/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121022 [Multifamily Housing Revenue Bonds - 1401-1415 Mission Street - Not to Exceed $50,000,000]

Sponsor: Kim

Resolution declaring its intent to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to authorize the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $50,000,000 for a 121-unit residential rental housing development to be located at 1401-1415 Mission Street; authorizing and directing the Director to request the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to CDLAC if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $50,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

10/16/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

121023 [Grant Agreement - Kelly Cullen Community - 220 Golden Gate Avenue - Not to Exceed $18,475,118]

Sponsor: Mayor

Resolution authorizing the Director of the Mayor's Office of Housing to execute a Local Operating Subsidy Program Grant Agreement with 220 Golden Gate Master Tenant, LP, to provide operating subsidies for formerly homeless single adults at Kelly Cullen Community, 220 Golden Gate Avenue, for the period of December 1, 2012, to November 30, 2027, in an amount not to exceed $18,475,118.

(Fiscal Impact)

10/16/12; RECEIVED AND ASSIGNED to Budget and Finance Committee

121024 **[Domestic Violence Awareness Month - October 2012]**
Sponsor: Mar
Resolution ratifying that the Board of Supervisors declares the month of October 2012 as Domestic Violence Awareness Month in the City and County of San Francisco.

10/16/12: REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Motion

121025 **[City Employees to Assist the Department of Elections - November 6, 2012, Consolidated Primary Election]**
Sponsor: Chiu
Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the November 6, 2012, Consolidated Primary Election.

10/16/12: REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Requests for Hearing

121026 **[Hearing - Organize and Manage City Property]**
Sponsor: Chu
Hearing request to better understand the City's efforts to organize and manage the usage of City property and to coordinate and acquire space for the City's operational needs that may include information from the Department of Real Estate, Port, San Francisco Municipal Transportation Agency, San Francisco Public Utilities Commission, and other departments.

10/16/12: RECEIVED AND ASSIGNED to Budget and Finance Committee.

121027 **[Hearing - Healthcare Liability - $4,360,000,000]**
Sponsors: Farrell; Wiener and Chiu
Hearing stating that as of July 1, 2008, the liability totaled $4,360,000,000 - representing the future cost of providing health benefits earned by City employees as of July 2008; the City's liability will continue to increase in future years absent significant changes in how we plan for and fund long-term healthcare costs, in the next few weeks the Controller's Office plans to release an updated report based on 2010 data and Supervisor Farrell has also requested the Budget and Legislative Analyst Office to prepare a report on what other municipalities are doing to address this issue in their jurisdictions, which will be the focus of this hearing.

10/16/12: RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED ORDINANCE

120994 **[Settlement of Lawsuit - Christine McGuire - $27,000]**
Ordinance authorizing settlement of the lawsuit filed by Christine McGuire against the City and County of San Francisco for $27,000; the lawsuit was filed on January 6, 2011, in San Francisco Superior Court, Case No. CGC-11-507062; entitled McGuire v. City and County of San Francisco, et al. (City Attorney's Office)

10/04/12; RECEIVED FROM DEPARTMENT.

10/16/12; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

120993 **[Settlement of Unlitigated Claim - Trico Construction - $440,000]**
Resolution approving settlement of the unlitigated claim filed by Galliera, Inc., dba Trico Construction (Trico), against City and County of San Francisco for $440,000. (City Attorney)

10/04/12; RECEIVED FROM DEPARTMENT.

10/16/12; RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Avalos
To: Director, Office of Economic and Workforce Development
Requesting/Inquiring: Requesting the Office of Economic and Workforce Development to report on the labor and hiring practices for the work being performed as part of the Dew Tour in Civic Center Plaza between October 8th and October 24th, 2012. This information should include a list of all contractors and subcontractors being employed, their location, the percentage of work being performed by union workers, the percentage of work being performed by San Francisco residents, and verification that the work is complying with the prevailing wage provisions in the San Francisco Administrative Code.

From: Supervisor Avalos
To: Director, Recreation and Parks Department
Requesting/Inquiring: Requesting the Recreation and Parks Department to provide information on the closure of Civic Center Plaza for the Dew Tour between October 8th and October 24th, 2012, including the following:
The amount of fees the organizers are paying for the use of the Plaza, including Concession Fees and any Impact Fees to compensate for the disruption of normal park usage and the inconvenience to the public.
The Department's intended uses for these revenues.
The methodology the Department uses to calculate Impact Fees for park usage.
What steps the Department has taken to ensure that all work on the project will comply with the City's prevailing wage and promote local hiring.
What plans the Dew Tour organizers have for aiding the City's public skate parks, such as the possibility of donating the skate park they are constructing to the City.
How any damage to the Plaza's landscaping and infrastructure will be evaluated and repaired.
What the Department's strategy is for mitigating the public disruption and inconvenience of multi-day park events such as this 17-day closure and the week-long closure of Civic Center Plaza for the Dreamforce event.

From: Supervisor Avalos
To: Director, Mayor's Office of Special Events
Requesting/Inquiring: Requesting the Mayor's Office of Special Events to report on any lists of vendors for security, waste management, and other services that they recommend to event organizers, and how they ensure that these vendors comply with the City's prevailing wage and promote local hiring.

From: Supervisor Mar
To: Director, Department of Public Works
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Requesting the Department of Public Works and the Municipal Transportation Agency to report on the feasibility of:
Street patching at:
Arguello and Anza
Repainting bike lane striping at:
Arguello and California, north side, both directions
Repainting crosswalks striping at:
Clement and 12th Avenue
Anza and 36th Avenue
Balboa and 32nd Avenue
Turk and Chabot
Turk and Parker
Turk and Willard north
Balboa and 23rd Avenue

Balboa and 24th Avenue
Balboa and 25th Avenue
Balboa and 39th Avenue
Balboa and 40th Avenue
Balboa and 41st Avenue
Balboa and 42nd Avenue
Geary and 34th Avenue
Geary and 33rd Avenue
Repairing or replacing trash cans at:
La Playa and Fulton, northeast
Removal of graffiti at:
Fulton and 12th Avenue, northwest corner, on utility pole
Fixing a pothole at:
Balboa between 28th Avenue and 29th Avenue, north
Repainting median striping at:
On Balboa between 30th Avenue and 32nd Avenue
On Balboa between 14th Avenue and 20th Avenue
On Balboa between 23rd Avenue and 25th Avenue
Repaving:
On Balboa between 14th Avenue and 20th Avenue
On Balboa between 23rd Avenue and 25th Avenue

From: Supervisors Mar, Cohen
To: Legislative Analyst
Requesting/Inquiring: Requesting the Legislative Analyst to analyze the following questions on Domestic Violence in the Workplace:
What relevant policies are in place in other cities?
Without such a policy, what is the potential cost to the City in lawsuits, absenteeism, productivity, and most importantly, safety?
How does the proposed policy of the Department on the Status of Women compare to the policies of other cities? In what ways is it more/less comprehensive than other policies?

In Memoriams

Eunice Holmes Cyrus – Supervisor Malia Cohen
Bernard Kern – Supervisor Carmen Chu

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:31 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors December 4, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT
AUG 15 2013
SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, October 23, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 11:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, Supervisor Chu was noted absent. There was a quorum.

Supervisor Chu Excused from Voting

Supervisor Avalos, seconded by Supervisor Farrell, moved that Supervisor Chu be excused from voting. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of September 4, 2012, and September 11, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Government Audit and Oversight Committee

120750 [Administrative Code - Retention of Progressive Payments for Public Works Construction Contracts]
Sponsors: Mayor; Chu
Ordinance amending the San Francisco Administrative Code Section 6.22(J) to reduce the amount of retention withheld from progress payments in construction contracts from ten to five percent; and to make minor clarifying corrections.

Ordinance No. 225-12

FINALLY PASSED

120939 [Revising the 2012 Budget and Legislative Analyst's Performance Audit Schedule]
Sponsor: Farrell
Motion revising the Budget and Legislative Analyst's 2012 Performance Audit Schedule to revise the priorities as follows: 1) Department of Public Health and Human Services Agency management of professional services contracts; 2) Adult Probation and Sheriff's departments implementation of Public Safety Realignment; and 3) City departments management and oversight of the former San Francisco Redevelopment Agency assets and functions.

Motion No. M12-127

APPROVED

Recommendations of the Land Use and Economic Development Committee

120299 [Administrative Code - Extending Restrictions of the Apartment Conversion Ordinance to Business-Sponsored Short Term Occupancies; Allowing Civil Actions by Certain Non-Profit Entities; Revising Enforcement Procedures]
Sponsors: Chiu; Mar
Ordinance amending the San Francisco Administrative Code, Chapter 41A, to extend the restrictions against converting apartment units to short-term occupancies to tenants or guests of business entities that rent such apartments, allow civil actions to be brought by certain non-profit entities, revise enforcement procedures, and making environmental findings.

Ordinance No. 224-12

FINALLY PASSED

120774 **[Planning Code - Permitting a Five Feet Ground Floor Height Increase for Active Ground Floor Uses in the Castro Street and the 24th Street - Noe Valley Neighborhood Commercial Districts]**
Sponsor: Wiener
Ordinance amending the San Francisco Planning Code by: 1) amending Section 263.20 to permit a five feet ground floor height increase for active ground floor uses in the Castro Street and the 24th Street - Noe Valley Neighborhood Commercial Districts; 2) replacing the figure in Section 263.20; 3) amending Sections 715.1 and 728.1 to make reference to this height exception; and 4) making findings including environmental findings and findings of consistency with Planning Code Section 101.1 and the General Plan.

Ordinance No. 226-12

FINALLY PASSED

Recommendations of the Rules Committee

111160 **[Business and Tax Regulations Code - Revisions to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area]**
Sponsor: Kim
Ordinance amending the San Francisco Business and Tax Regulations Code Section 906.3-1 to clarify how members of the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area shall be appointed for their initial terms.

Ordinance No. 223-12

FINALLY PASSED

120929 **[Settlement of Lawsuit - City and County of San Francisco - $95,000]**
Ordinance authorizing settlement of a lawsuit for breach of contract, declaratory judgment and permanent injunction filed by the City and County of San Francisco against Geary Courtyard Associates, ERP Operating Limited Partnership and Equity Residential, for $95,000; the lawsuit entitled City and County of San Francisco v. Geary Courtyard Associates, et al., Case No. CGC 12-520504, filed May 4, 2012, in San Francisco Superior Court. (City Attorney)

Ordinance No. 222-12

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

120352 [Administrative Code - Housing Preservation and Production]
Sponsors: Olague; Kim, Campos and Mar
Ordinance amending the San Francisco Administrative Code by 1) amending the title of Chapter 10E and adding Section 10E.4 to monitor San Francisco's housing preservation and production policies and goals; and 2) making environmental finding.
(Supervisor Wiener dissented in Committee.)

Supervisor Olague, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to October 30, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

NEW BUSINESS

Recommendations of the Budget and Finance Committee

120932 [Accept and Expend Grant - Foreclosure Crisis Relief Fund - $399,442]
Sponsor: Avalos
Resolution authorizing the Office of the District Attorney to retroactively accept and expend a grant in the amount of $399,442 through the California Department of Justice for a program entitled "Foreclosure Crisis Recovery Program" for the period of July 1, 2012, through June 30, 2013.

Resolution No. 383-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120933 **[Accept and Expend Grant - Compensation for Crime Victims - Not to Exceed $714,138]**

Sponsor: Avalos

Resolution authorizing the Office of the District Attorney to retroactively accept and expend up to $714,138 allocated from the California Victim Compensation and Government Claims Board for a project entitled "Joint Powers Agreement" for the period of July 1, 2012, through June 30, 2015.

Resolution No. 384-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120937 **[Accept and Expend Grant - Glen Canyon Creekside Loop Trail Improvements - $163,587]**

Sponsor: Wiener

Resolution authorizing the Recreation and Park Department to accept and expend a Habitat Conservation Fund Grant in the amount of $163,587 from the California Department of Parks and Recreation for the Glen Canyon Creekside Loop Trail Project.

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a Habitat Conservation Fund Grant in the amount of $163,587 from the California Department of Parks and Recreation for the Glen Canyon Creekside Loop Trail Project for the period of July 1, 2011, through June 30, 2031.

Resolution No. 385-12

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120944 **[Accept and Expend Grant - Criminal Restitution Compact - Not to Exceed $85,658]**

Sponsor: Avalos

Resolution authorizing the Office of the District Attorney to retroactively accept and expend up to $85,658 allocated from the California Victim Compensation and Government Claims Board for a project entitled "Criminal Restitution Compact" for the period of July 1, 2012, through June 30, 2013.

Resolution No. 386-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120960 **[Support Goals for Federal Funding - Community Development Block Grant, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Programs - FY2013-2014]**
Resolution supporting FY2013-2014 Community Development Block Grant, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Consolidated Plan Goals. (Mayor's Office of Housing)

Resolution No. 387-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120988 **[Accept and Expend Grant - Assistive Technology California Disability Employment Initiative - $105,000]**
Sponsor: Mayor
Resolution authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $105,000 from the US Department of Labor, passed through California Employment Development Department for the Assistive Technology California Disability Employment Initiative for the period of October 1, 2011, through September 30, 2014.

Resolution No. 389-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

Recommendation of the Government Audit and Oversight Committee

120793 **[Board Response - Civil Grand Jury Report - Where There's Smoke... The Need to Strengthen the Art Commission's Stewardship of San Francisco's Cultural Legacy]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2011-2012 Civil Grand Jury report entitled "Where There's Smoke... The Need to Strengthen the Art Commission's Stewardship of San Francisco's Cultural Legacy" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

Resolution No. 381-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

Recommendations of the Land Use and Economic Development Committee

120812 **[Administrative Code - Public Housing Right to Return to Revitalized Housing]**
Sponsors: Olague; Cohen and Mar
Ordinance amending the San Francisco Administrative Code by: 1) adding Chapter 39, Sections 39.1 through 39.9. to establish the San Francisco Right to Revitalized Housing Ordinance and set City policy regarding the Right to Return to Revitalized Public Housing Units; and 2) adding Section 37.6(n) to establish new powers for the San Francisco Residential Rent Stabilization and Arbitration Board in connection with the new San Francisco Right to Revitalized Housing Ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120886 **[Purchase and Sale Agreement - Former Waller Street, from Laguna Street to Buchanan Street - Regents of the University of California]**
Sponsor: Wiener
Resolution authorizing: 1) acceptance of a Purchase and Sale Agreement for former Waller Street, from Laguna Street to Buchanan Street; 2) acceptance of Restrictive Easement against former Waller Street as a condition of the sale; 3) adopting environmental findings and findings that the transaction contemplated is consistent with the San Francisco General Plan and the eight priority policies of the San Francisco Planning Code; and 4) authorizing the Director of Property, or designee, to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution.

Resolution No. 382-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120981 **[Approval of Construction of Structures in Union Square Park for Central Subway Project]**
Resolution approving, under Charter Section 4.113, construction of surface and subsurface structures in Union Square Park for the Central Subway Project's Union Square Market Street Station. (Municipal Transportation Agency)

Resolution No. 388-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Avalos, seconded by Supervisor Cohen, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

RESTAURANT APPRECIATION MONTH
Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Restaurant Appreciation Month, their accomplishments, and their continued community support as referenced below:

Supervisor Avalos recognized Broken Record; and
Supervisor Cohen recognized Skool; and
Supervisor Campos recognized Mission Bowling Club; and
Supervisor Wiener recognized Castro Tarts; and
Supervisor Kim recognized Sam's Diner; and
Supervisor Olague recognized Nopa; and
Supervisor Elsbernd, on behalf of Supervisor Chu, recognized Parkside Tavern; and
Supervisor Chiu recognized Bottle Cap; and
Supervisor Farrell recognized Delfina; and
Supervisor Mar recognized Beach Chalet; and
Hydra Mendoza, on behalf of Mayor Lee, recognized Old Skool Cafe.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Zendesk in recognition of their accomplishments and continued community support.

SPECIAL ORDER 4:00 P.M.

120849 [Public Hearing - Tentative Parcel Map Appeal - 1101-1103 Dolores Street]
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated August 9, 2012, approving a Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033. (District 8) (Appellants: Kevin Cheng and Todd Mavis) (Filed August 20, 2012). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Hearing be CONTINUED to November 20, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

The President CONTINUED the Hearing open to November 20, 2012.

120850 **[Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map - 1101-1103 Dolores Street]**

Motion approving decision of the Department of Public Works and approving the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; approving the decision of the Department of Public Works. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be CONTINUED to November 20, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120851 **[Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map - 1101-1103 Dolores Street]**

Motion disapproving decision of the Department of Public Works and disapproving the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be CONTINUED to November 20, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120852 **[Preparation of Findings Related to the Tentative Parcel Map Disapproval - 1101-1103 Dolores Street]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be CONTINUED to November 20, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to government.
Eugene Gordon, Jr.; expressed various concerns.
Male Speaker; expressed various religious concerns.
Walter Paulson; shared in song certain concerns with the Board.
Darryl Spencer; expressed support for transit in North Beach.
Male Speaker; expressed concerns relating to toxic infill materials.
Male Speaker; expressed various concerns.
Male Speaker; expressed various concerns.
Peter Warfield; expressed concerns relating to the SF Public Library.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

121022 [Multifamily Housing Revenue Bonds - 1401-1415 Mission Street - Not to Exceed $50,000,000]
Sponsor: Kim
Resolution declaring its intent to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to authorize the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $50,000,000 for a 121-unit residential rental housing development to be located at 1401-1415 Mission Street; authorizing and directing the Director to request the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to CDLAC if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $50,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

Resolution No. 390-12

ADOPTED

121024 [Domestic Violence Awareness Month - October 2012]
Sponsor: Mar
Resolution ratifying that the Board of Supervisors declares the month of October 2012 as Domestic Violence Awareness Month in the City and County of San Francisco.

Resolution No. 391-12

ADOPTED

121025 **[City Employees to Assist the Department of Elections - November 6, 2012, Consolidated Primary Election]**
Sponsor: Chiu
Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the November 6, 2012, Consolidated Primary Election.

Motion No. M12-128

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

121029 **[Environment Code - Suspending Yellow Pages Distribution Pilot Program]**
Sponsors: Chiu; Elsbernd
Ordinance amending the San Francisco Environment Code by adding Section 2109 to suspend the Yellow Pages Distribution Pilot Program.

10/23/12, ASSIGNED to Land Use and Economic Development Committee.

121030 **[Police Code - Enforcement Provisions for Clipper Cove Special-Use Area Adjacent to Treasure Island]**
Sponsor: Kim
Ordinance amending the San Francisco Police Code, Section 1.1 "Mooring in Clipper Cove," to further delineate enforcement provisions including infractions, provide for administrative citations and penalties, specify procedures for changing rules and regulations, and clarify existing provisions.

10/23/12 ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/22/2012

Resolutions

121031 [Metropolitan Transportation Commission - Strengthen Provisions of Personal Information of the Clipper Card Program]
Sponsors: Avalos; Chiu, Olague and Mar
Resolution urging the Metropolitan Transportation Commission and the State Legislature to strengthen the privacy provisions of personal information of the Clipper Card Program.

10/23/12; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee

121040 [Bid to Host and Support for the 2016 and 2017 Super Bowl]
Sponsors: Farrell; Chiu
Resolution recognizing the formation of the 2016 and 2017 Super Bowl Bid Committee and declaring the Board of Supervisor's support to host the Super Bowl in 2016 and 2017.

10/23/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

121041 [Accept and Expend Grant - Energy Efficiency Program - $2,977,000]
Sponsor: Mar
Resolution retroactively authorizing the Department of the Environment to accept and expend a grant in the amount of $2,977,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to continue an energy use and demand reduction through Energy Efficiency Program in the City and County of San Francisco for the period of October 15, 2012, through December 31, 2012.

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121042 [Urging the Development of a Workplace Employee Policy on Domestic Violence]
Sponsors: Mar; Cohen
Resolution urging the Department on the Status of Women to develop materials for survivors of domestic violence to share with City and private business employees.

10/23/12; RECEIVED AND ASSIGNED to Public Safety Committee

121043 [Agreement - Workers' Compensation Third Party Administrator Services - Not to Exceed $26,288,201]
Sponsor: Mayor
Resolution authorizing the San Francisco Municipal Transportation Agency and the Department of Human Resources to execute an agreement with Intercare Holdings Insurance Services, Inc., for Workers' Compensation Third Party Administrator services for an amount not to exceed $26,500,000 and for a term of three years, with an option to extend the term for up to an additional two years.

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee

121044 **[Piers 30-32/Seawall Lot 330 - Warriors Development Project]**
Sponsor: Mayor
Resolution finding that a project proposed by GSW Arena LLC, an affiliate of the Golden State Warriors, to rehabilitate Port property at Piers 30-32, develop on the piers a multi-purpose venue useable for public assembly uses and other events, such as conventions, Warriors home games, cultural events, family shows and performing arts, and for other purposes, including public open space, maritime use, visitor serving retail, and related parking facilities, and develop on Seawall Lot 330 residential, hotel, and/or retail uses and accessory parking, is fiscally feasible and responsible under Administrative Code Chapter 29; urging City and Port officials to make evaluating the proposed project among its highest priorities; and to take all appropriate steps to further environmental review of the proposed project.
(Economic Impact)

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121045 **[Term Sheet - Orton Development, Inc. - Rehabilitation of the 20th Street Historic Buildings and Finding of Fiscal Feasibility]**
Sponsors: Mayor; Cohen
Resolution finding the proposed rehabilitation of the 20th Street Historic Buildings on or near 20th Street, east of Illinois Street, fiscally feasible pursuant to Administrative Code Chapter 29, and endorsing the Term Sheet between Orton Development, Inc., and the San Francisco Port Commission.
(Fiscal Impact)

10/23/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/22/2012.

121046 **[Real Property Lease - 110-12th Street - St. James Family Partnership, L.P. - ReproMail]**
Sponsor: Mayor
Resolution authorizing the lease of 10,469 sq. ft. of space at 110-12th Street with the St. James Family Partnership, L.P., for use by the Office of Contract Administration's ReproMail for the term of approximately ten years commencing on February 1, 2013 and terminating January 31, 2023 for the renovation of the property.

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121047 **[Real Property Lease Amendment - SRI Nine Market Square, LLC - 875 Stevenson Street - Renovation of the Property]**
Sponsor: Mayor
Resolution authorizing the Fourth Amendment to Lease of 875 Stevenson Street floors 1, 3 and 4, terminating said lease with SRI Nine Market Square, LLC for the renovation of the property.

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121048 **[Real Property Lease - 1155 Market Street - 1155 SF Partners, LLC - Various City Departments]**
Sponsor: Mayor
Resolution authorizing the lease of approximately 103,501 sq. ft. of space at 1155 Market Street with 1155 SF Partners, LLC, for use by various City Departments for the term of approximately ten years commencing January 15, 2013, and terminating on January 14, 2023 for renovation of the property.

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121049 **[Supporting the Passage of Senate Bill 637 and House of Representatives Bill 3125 - Earthquake Insurance Affordability Act]**
Sponsor: Mar
Resolution supporting the passage of Senate Bill 637 and House of Representatives Bill 3125, which would enact the Earthquake Insurance Affordability Act.

10/23/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

121050 **[Linda Avery-Herbert Day - October 30, 2012]**
Sponsors: Olague; Campos, Chiu, Farrell, Wiener and Mar
Resolution declaring October 30, 2012, as Linda Avery-Herbert Day in the City and County of San Francisco.

10/23/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

121051 **[Approval of a 45-Day Extension for Planning Commission Review of Establishing the Fillmore Street Neighborhood Commercial District (File No. 120814)]**
Sponsor: Olague
Resolution extending by 45 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 120814) amending the San Francisco Planning Code by: 1) adding Section 744.1 to establish the Fillmore Street Neighborhood Commercial Distnct along Fillmore Street between Bush and Fulton Streets; 2) amending Section 151.1, a portion of Table 151.1, Section 263.20, and Section 607.1(f) to make conforming and other technical changes; 3) amending Sheets ZN02 and ZN07 of the Zoning Map to rezone specified properties to the Fillmore Street Neighborhood Commercial District; and 4) adopting environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

10/23/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

121052 **[Approval of a 45-Day Extension for Planning Commission Review of Establishing the Divisadero Street Neighborhood Commercial District (File No. 120796)]**
Sponsor: Olague
Resolution extending by 45 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 120796) amending the San Francisco Planning Code by: 1) adding Section 743.1 to establish the Divisadero Neighborhood Commercial District; 2) repealing the Divisadero Street Alcohol Restricted Use District established in Section 783, 3) amending Section 151.1 and a portion of Table 151.1, Sections 263.20, 607.1(f), and 702.3, the specific provisions of the Section 711 Zoning Control Table, and Section 790.55 to make conforming and other technical changes; 4) amending Sheets ZN02 and ZN07 of the Zoning Map to include the Divisadero Neighborhood Commercial District; 5) amending Sheet SU02 of the Zoning Map to delete the Divisadero Street Alcohol Restricted Use Special Use District; and 6) adopting environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

10/23/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

121057 **[Board of Supervisors' Rules of Order Amendment]**
Sponsor: Elsbernd
Motion amending the Board of Supervisors' Rules of Order, in their entirety, to correct clerical corrections, proper placement of sections, and additional updates.
10/23/12: RECEIVED AND ASSIGNED to Rules Committee

Requests for Hearing

121053 **[Hearing - Review of San Francisco Police Department Taser Policy]**
Sponsor: Avalos
Hearing request to review the San Francisco Police Department's policies and general orders related to tasers, including the Department's plan to equip officers in the Crisis Intervention Team with tasers.
10/23/12: RECEIVED AND ASSIGNED to Public Safety Committee.

121054 **[Hearing - Golden State Warriors Development Project Design - Piers 30-32 and Seawall Lot 330]**
Sponsors: Kim; Chiu
Hearing to consider the initial project design of the proposed Golden State Warriors development on Piers 30-32 and Seawall Lot 330 and update on the Waterfront Transportation Network Assessment.
10/23/12: RECEIVED AND ASSIGNED to Land Use and Economic Development Committee

121055 **[Hearing - Muni Operations/Performance and Use of Regional Funding]**
Sponsors: Farrell; Chu, Elsbernd and Wiener
Hearing on Muni's operational budget and performance and on Muni's options for spending the Transit Performance Initiation funds from the Metropolitan Transportation Commission, allowing for a broad discussion on how we can ensure that Muni is meeting our City's transit needs and how the scarcity of flexible transit dollars are used to enhance Muni's overall system.
10/23/12: RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

121056 **[Hearing - Support and Preserve Independent Neighborhood Theaters]**
Sponsor: Mar
Hearing on strategies to support and preserve independent neighborhood theaters.
10/23/12: RECEIVED AND ASSIGNED to Land Use and Economic Development Committee

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED ORDINANCES

121004 [Planning Code - Market Street Masonry Historic District]
Sponsor: Kim
Ordinance amending the San Francisco Planning Code by adding a new Appendix M to Article 10 (Preservation of Historical, Architectural and Aesthetic Landmarks) to: 1) create the Market Street Masonry Historic District, a discontiguous landmark historic district; and 2) make findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b).

10/10/12; RECEIVED FROM DEPARTMENT.

10/23/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee

Supervisor Kim requested to be added as sponsor.

121007 [Electric System and Solar Project Agreement - North Star Solar, LLC]
Ordinance authorizing, pursuant to Charter Section 9.118(a), a System Impact Mitigation Agreement with North Star Solar, LLC, requiring North Star Solar, LLC, to pay the Public Utilities Commission the costs necessary to mitigate the impacts to the City's electric system caused by the interconnection of North Star Solar, LLC's solar project to the electric grid; and authorizing similar mitigation agreements with other projects in the future; and appropriating funds from these agreements to pay the costs of mitigation work. (City Attorney's Office)
(Fiscal Impact)

10/12/12; RECEIVED FROM DEPARTMENT.

10/23/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee

121014 [Settlement of Lawsuit - Leslie Jones - $197,500]
Ordinance authorizing settlement of the lawsuit filed by Leslie Jones against the City and County of San Francisco for $197,500; the lawsuit was filed on August 5, 2010, in San Francisco Superior Court, Case No. CGC-10-502290; entitled Leslie Jones, et al. v. City and County of San Francisco, et al. (City Attorney's Office)

10/15/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Rules Committee

121015 [Settlement of Lawsuit - Acquila Yeargin - $27,500]
Ordinance authorizing settlement of the lawsuit filed by Acquila Yeargin against the City and County of San Francisco for $27,500; the lawsuit was filed on July 7, 2010, in San Francisco Superior Court, Case No. CGC-10-501334; entitled Acquila Yeargin v. Brandon Thompson, et al. (City Attorney's Office)

10/15/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Rules Committee

PROPOSED RESOLUTIONS

121003 [Street Artist Spaces - Hallidie Plaza - East of 5th Street]
Resolution approving re-designation of 47 selling spaces at Hallidie Plaza, east of 5th Street, for street artists certified by the Arts Commission, City and County of San Francisco; exempting said spaces for one year from the regulations of Police Code Section 2405(c)(3), (4), and (11), relating to size of space and distance between street artists. (Arts Commission)

10/11/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

121006 [Master Lease Extension - Department of Public Health - 2176-78 Mission Street - $32,363.07 Per Month with Annual Increases]
Resolution authorizing the extension of a Master Lease of Real Property at 2176-78 Mission Street for the Department of Public Health for ten years, $32,363.07 per month for the period of December 5, 2012, to December 4, 2013, and subsequently subject to increases pursuant to the Consumer Price Index yearly. (Real Estate Department)
(Fiscal Impact)

10/12/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121009 [Master Lease Amendment - Treasure Island Fire Fighting Training Center]
Resolution approving the Fourth Amendment to the Treasure Island Fire Fighting Training Center Master Lease between the Treasure Island Development Authority and the United States Navy to Extend the Term. (Treasure Island Development Authority)

10/15/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121011 [Proposition J Contract/Certification of Specified Contracted-Out Services - Public Utilities Commission Security Services]
Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for night and weekend security services at San Francisco Public Utilities Commission's offices on 525 Golden Gate Avenue. (Public Utilities Commission)
(Fiscal Impact)

10/15/12 RECEIVED FROM DEPARTMENT

10/23/12, RECEIVED AND ASSIGNED to Budget and Finance Committee.

121012 [Adopting CEQA Findings - Geary Road Bridge Project]
Resolution adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program, related to the funding of Project No. CUW26403, the Geary Road Bridge Project, in Alameda County and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

10/15/12 RECEIVED FROM DEPARTMENT

10/23/12, RECEIVED AND ASSIGNED to Budget and Finance Committee

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:30 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 11, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

AUG 15 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, October 30, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 11:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, Supervisor Chu was noted absent. There was a quorum.

Supervisor Chu Excused from Voting

Supervisor Campos, seconded by Supervisor Olague, moved that Supervisor Chu be excused from voting. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Cohen, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of September 18, 2012, and September 25, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Rules Committee

120955 **[Appointments, Balboa Park Station Community Advisory Committee - Nicole Agbayani, Rita Evans, David Mauroff, William L. Walker, Daniel Weaver, and Veronica Garcia]**
Motion appointing Nicole Agbayani, Rita Evans, David Mauroff, William L. Walker, Daniel Weaver, and Veronica Garcia, terms to be determined, to the Balboa Park Station Community Advisory Committee. (Clerk of the Board)

Motion No. M12-129

APPROVED

121005 **[Appointment, Graffiti Advisory Board - Michael Grgich]**
Motion appointing Michael Grgich, term ending April 10, 2013, to the Graffiti Advisory Board. (Clerk of the Board)

Motion No. M12-130

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

120812 **[Administrative Code - Public Housing Right to Return to Revitalized Housing]**
Sponsors: Olague; Cohen and Mar
Ordinance amending the San Francisco Administrative Code by: 1) adding Chapter 39, Sections 39.1 through 39.9, to establish the San Francisco Right to Revitalized Housing Ordinance and set City policy regarding the Right to Return to Revitalized Public Housing Units; and 2) adding Section 37.6(n) to establish new powers for the San Francisco Residential Rent Stabilization and Arbitration Board in connection with the new San Francisco Right to Revitalized Housing Ordinance.

Ordinance No. 227-12

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120352 **[Administrative Code - Housing Preservation and Production]**
Sponsors: Olague; Kim, Campos and Mar
Ordinance amending the San Francisco Administrative Code by 1) amending the title of Chapter 10E and adding Section 10E.4 to monitor San Francisco's housing preservation and production policies and goals; and 2) making environmental finding.
(Supervisor Wiener dissented in Committee.)

Supervisor Olague, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to November 20, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

NEW BUSINESS

Recommendations of the Budget and Finance Committee

120985 **[CEQA Findings - San Antonio Backup Pipeline Project in Alameda County]**
Sponsor: Chu
Resolution adopting findings under the California Environmental Quality Act (CEQA), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations, related to the San Antonio Backup Pipeline Project, and directing the Clerk of the Board of Supervisors to notify the Controller of this action.

Resolution No. 398-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120986 **[Lease - Transportation Security Administration - International Terminal and Terminal 2]**
Sponsor: Elsbernd
Resolution approving and authorizing the execution of Lease No. GS-09B-03014 with the Transportation Security Administration for terminal space to be occupied by the U.S. Transportation Security Administration, a Federal agency, in the International Terminal and Terminal 2 of the San Francisco International Airport with a term of five years.

Resolution No. 399-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

121021 [Multifamily Housing Revenue Note - Candlestick Heights Apartments - 833-881 Jamestown Street - Not to Exceed $70,000,000]
Sponsor: Cohen
Resolution authorizing the issuance and delivery of a multifamily housing revenue note in a principal amount not to exceed $70,000,000 for the purpose of providing financing for the acquisition and construction of a 196-unit multifamily residential rental housing project located at 833-881 Jamestown Street, known as Candlestick Heights Apartments; 1) approving the form of and authorizing the execution of a funding loan agreement; 2) approving the form of and authorizing the execution of a borrower loan agreement; 3) providing the terms and conditions of the note and authorizing the execution and delivery thereof; 4) approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; 5) authorizing the collection of certain fees; 6) approving modifications, changes, and additions to the documents; 7) granting general authority to City officials to take actions necessary to implement this Resolution; and 8) ratifying and approving any action heretofore taken in connection with the note and the project.

Resolution No. 400-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

From the Budget and Finance Committee Without Recommendation

120980 [Expansion of Authority Regarding Lease - 1455 Market Street]
Resolution authorizing additional allowance of up to $5.10 per rentable square foot for construction of improvements amortized by Landlord over initial term of seven years at eight percent to be paid as additional rent in the amount of $1,929.10 per month for property located at 1455 Market Street (Real Estate Department)
(Fiscal Impact)

Resolution No. 397-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

Recommendations of the City Operations and Neighborhood Services Committee

120277 [Liquor License - 1059 Hyde Street]
Resolution determining that the issuance of a Type 20 off-sale general license to LandMark Retail Group for CVS Pharmacy, located at 1059 Hyde Street (aka 1401 California Street) (District 3), will serve the public convenience and necessity of the City and County of San Francisco.

Resolution No. 392-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120729 **[Liquor License Transfer - 165 Jefferson Street]**
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 247 Powell Street to 165 Jefferson Street (District 3), to Nick Bovis for the GDL SFO Inc., will serve the public convenience and necessity of the City and County of San Francisco.

Resolution No. 393-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120826 **[Liquor License - 810 Van Ness Avenue]**
Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Roger Abuyaghi (Nob Hill Restaurant Ventures Inc.) for After Five, located at 810 Van Ness Avenue (District 6), will serve the public convenience and necessity of the City and County of San Francisco.

Resolution No. 394-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120865 **[Liquor License Transfer - 1201 Minnesota Street]**
Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 2200 Jerrold Avenue to 1201 Minnesota Street (District 10), to Nelly Ghassan for the Gifted Basket, will serve the public convenience and necessity of the City and County of San Francisco.

Resolution No. 395-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120878 **[Liquor License - 1115-1117 Market Street]**
Resolution determining that the issuance of a Type 64 special on-sale general theater license to Jason Seifer for the American Conservatory Theatre Foundation, dba The Costume Shop, located at 1115-1117 Market Street (District 6), will serve the public convenience and necessity of the City and County of San Francisco.

Resolution No. 396-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

Recommendations of the Land Use and Economic Development Committee

120220 [Planning Code - Signage Requirements for Privately-Owned Public Open Spaces]
Sponsor: Chiu

Ordinance amending the San Francisco Planning Code to: 1) consolidate into Section 138 the requirements for privately-owned public open space; 2) create a new Zoning Administrator Bulletin that will contain detailed design and graphics requirements for the required informational plaques; and 3) make environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120882 [Administrative Code - Board of Supervisors Review of Affordable Housing Trust Fund]
Sponsor: Chiu

Ordinance amending the San Francisco Administrative Code by adding Section 1.60 to require the Mayor's Office of Housing and the Planning Department to report to the Board of Supervisors every five years on the implementation of Charter Section 16.110, the Affordable Housing Trust Fund Charter Amendment.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

121033 [Planning Code - Limited Commercial Uses in Residential Transit Oriented Mission District]
Sponsors: Campos; Chiu

Ordinance amending the San Francisco Planning Code Section 231 to allow for greater size and depth from the corner for limited commercial uses in the Residential Transit Oriented Mission (RTO-M) District; and making environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Supervisor Chiu requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

Recommendation of the Rules Committee

120815 **[Health Code - Bed Bug Infestation Prevention, Treatment, Disclosure and Reporting]**

Sponsors: Kim; Campos

Ordinance amending the San Francisco Health Code by adding Article 11A requiring: 1) the Department of Public Health ("DPH") to provide written information outlining the rights and responsibilities of tenants, property owners and Pest Control Operators ("PCO") regarding the prevention and treatment of bed bug infestations; 2) DPH to develop a training curriculum on bed bug abatement; 3) owners to respond to bed bug infestation complaints; 4) property owners to disclose bed bug infestation history for the previous two years; 5) DPH to collect and publish bed bug data on a quarterly basis; 6) the Health Department to conduct a biannual public hearing to review DPH's written materials, and adopt amendments as appropriate; establishing enforcement procedures; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Olague, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to San Francisco Poet Laureate Alejandro Murguia in recognition of his accomplishments and continued community support.

Supervisor Mar introduced, welcomed, and presented Certificates of Honor to Richmond District Poets Susan Terence, David Volpendesta, and Christopher Carsi in recognition of their accomplishments and continued community support.

Supervisor Olague introduced, welcomed, and presented a Certificate of Honor to Karim Mayfield, NABO Junior Welterweight Champion, in recognition of his accomplishments and continued community support.

Supervisor Olague introduced, welcomed, and presented a Certificate of Honor to Linda Avery-Herbert in honor of 30 years of service to the City and County of San Francisco upon her retirement.

MENTAL HEALTH AWARENESS MONTH
Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Mental Health Awareness Month, their accomplishments, and their continued community support, as referenced below:

Supervisor Avalos recognized Ines Bettencourt; and
Supervisor Campos recognized Laura Guzman (Director, Mission Neighborhood Resource Center); and
Supervisor Chiu recognized Nancy Lim-Yee, LCSW (Program Director, Chinatown Child Development Center); and
Supervisor Cohen recognized Wanda Materre and Lavone King; and
Supervisor Elsbernd recognized Fred Martin; and
Supervisor Farrell recognized Lynn Fuller; and
Supervisor Farrell, on behalf of Supervisor Chu, recognized Officer Rich Jue (Taraval Police Station); and
Supervisor Kim recognized Seth Katzman (Director, Supportive Housing & Community Services); and
Supervisor Mar recognized Alison Ching and Yuka Hachiuma; and
Supervisor Olague recognized Kia Wallace (Director, Ajani Community Case Management from West Side Services)
Supervisor Wiener recognized Sergeant Kelly Dunn; and
Former Supervisor Bevan Dufty, Director, Housing Opportunity, Partnerships and Engagement (HOPE), representing on behalf of Mayor Lee, recognized Jason Albertson and Jo Robinson.

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved. it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Elsa Casillos; expressed concerns relating to violence in the community.
Male Speaker; expressed various religious concerns.
Eugene Gordon, Jr.; expressed various concerns.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed various concerns.
Peter Warfield; expressed concerns relating to the SF Public Library.
Female Speaker; expressed various concerns.
John DiDonna; shared in poem certain concerns with the Board.
Male Speaker; expressed various concerns.
Peter Alexander; expressed various concerns.
Doug Mollary; expressed concerns relating to child abductions.
Mary Morrison; expressed concerns relating to domestic terrorism.
John Jankle; expressed concerns relating to mass murders.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.

Supervisor Elsbernd was noted absent at 5:11 p.m. for the remainder of the meeting.

Supervisor Avalos, seconded by Supervisor Kim, moved to reopen Public Comment. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu
Absent: 1 - Elsbernd

Female Speaker; expressed various concerns.
Sala-Haqueenyah Chandler; expressed concerns relating to Bayview and mental health.
David Elliott Lewis; spoke in support of mental health awareness.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

121040 **[Bid to Host and Support for the 2016 and 2017 Super Bowl]**
Sponsors: Farrell; Chiu
Resolution recognizing the formation of the 2016 and 2017 Super Bowl Bid Committee and declaring the Board of Supervisor's support to host the Super Bowl in 2016 and 2017.

Resolution No. 401-12

ADOPTED

121049 **[Supporting the Passage of Senate Bill 637 and House of Representatives Bill 3125 - Earthquake Insurance Affordability Act]**
Sponsor: Mar
Resolution supporting the passage of Senate Bill 637 and House of Representatives Bill 3125, which would enact the Earthquake Insurance Affordability Act.

Resolution No. 402-12
ADOPTED

121050 **[Linda Avery-Herbert Day - October 30, 2012]**
Sponsors: Olague; Campos, Chiu, Farrell, Wiener and Mar
Resolution declaring October 30, 2012, as Linda Avery-Herbert Day in the City and County of San Francisco.

Resolution No. 403-12
ADOPTED

121051 **[Approval of a 45-Day Extension for Planning Commission Review of Establishing the Fillmore Street Neighborhood Commercial District (File No. 120814)]**
Sponsor: Olague
Resolution extending by 45 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 120814) amending the San Francisco Planning Code by: 1) adding Section 744.1 to establish the Fillmore Street Neighborhood Commercial District along Fillmore Street between Bush and Fulton Streets; 2) amending Section 151.1, a portion of Table 151.1, Section 263.20, and Section 607.1(f) to make conforming and other technical changes; 3) amending Sheets ZN02 and ZN07 of the Zoning Map to rezone specified properties to the Fillmore Street Neighborhood Commercial District; and 4) adopting environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Resolution No. 404-12
ADOPTED

121052 **[Approval of a 45-Day Extension for Planning Commission Review of Establishing the Divisadero Street Neighborhood Commercial District (File No. 120796)]**
Sponsor: Olague
Resolution extending by 45 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 120796) amending the San Francisco Planning Code by: 1) adding Section 743.1 to establish the Divisadero Neighborhood Commercial District; 2) repealing the Divisadero Street Alcohol Restricted Use District established in Section 783; 3) amending Section 151.1 and a portion of Table 151.1, Sections 263.20, 607.1(f), and 702.3, the specific provisions of the Section 711 Zoning Control Table, and Section 790.55 to make conforming and other technical changes; 4) amending Sheets ZN02 and ZN07 of the Zoning Map to include the Divisadero Neighborhood Commercial District; 5) amending Sheet SU02 of the Zoning Map to delete the Divisadero Street Alcohol Restricted Use Special Use District; and 6) adopting environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Resolution No. 405-12
ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu
Absent: 1 - Elsbernd

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

120964 **[Campaign and Governmental Conduct Code - Updating Conflict of Interest Code]**
Sponsor: Chiu
Ordinance amending the San Francisco Campaign and Governmental Conduct Code to update the City's Conflict of Interest Code.

09/25/12; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/25/2012

10/30/12; SUBSTITUTED AND ASSIGNED to Rules Committee.

120984 **[Police Code - Prohibiting Public Nudity]**
Sponsor: Wiener
Ordinance amending the San Francisco Police Code by adding Section 154 to prohibit nudity on public streets, sidewalks, street medians, parklets, and plazas, and on public transit vehicles, stations, platforms, and stops, except as part of permitted parades, fairs, and festivals.

10/02/12; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 11/1/2012

10/19/12; REFERRED TO DEPARTMENT.

10/30/12; SUBSTITUTED AND ASSIGNED to City Operations and Neighborhood Services Committee.

121064 **[Business and Tax Regulations, Police Codes - Parking Stations - Revenue Control Equipment; License Regulations; Parking Tax Bonds; Administrative Citation Process]**

Sponsor: Campos

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Article 6 (Common Administrative Provisions) to revise the bonding requirements for parking operators; revise the time to bring an action to collect tax; clarify the extent of a surety's liability; revise the administrative citation appeal process; and make other minor technical changes; amending Article 22 (Parking Stations; Revenue Control Equipment) to clarify that non-City governmental entities operating parking stations are exempt from the revenue control equipment requirements; and amending the San Francisco Police Code by amending Article 17 (Miscellaneous License Regulations) to clarify that governmental entities operating parking garages or parking lots are exempt from the permitting requirements applicable to other commercial parking garage and valet operations.

10/30/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/30/2012

121065 **[Planning Code, Zoning Map - Polk Street Alcohol and Tobacco Paraphernalia Restrictions]**

Sponsor: Chiu

Ordinance amending the San Francisco Planning Code by amending Section 723 to extend the restriction on Tobacco Paraphernalia Establishments in the Polk Street Neighborhood Commercial District (NCD) for an additional three years and apply it to an area within one-quarter mile of the boundaries of the NCD; adding Section 788 to establish the Lower Polk Street Alcohol Restricted Use District for the properties located on Polk Street between California and O'Farrell Streets, and Polk Street's side streets between California Street, Larkin Street, O'Farrell Street and Van Ness Avenue; amending the San Francisco Zoning Map to designate the Lower Polk Street Alcohol Restricted Use District on Map Sheet ZN-02; and making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

10/30/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/30/2012

121066 **[Administrative Code - Hearings on Tenant Allegations of Landlord Harassment to Recover Possession of the Tenant's Unit]**

Sponsor: Olague

Ordinance amending San Francisco Administrative Code, Chapter 37 (Residential Rent Stabilization and Arbitration Ordinance), Section 37.9, to add new Subsection 37.9(l), providing for hearings at the Rent Board on tenant allegations of landlord harassment constituting a wrongful endeavor to recover possession of the tenant's unit.

10/30/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/30/2012.

Resolutions

121067 [Accept and Expend Grant - Adolescent Health Working Group Health Education Collaborative - $120,000]
Sponsor: Cohen
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $120,000 from The California Wellness Foundation to participate in a program entitled Adolescent Health Working Group Health Education Collaborative for the period of October 1, 2012, through September 30, 2014.
10/30/12: RECEIVED AND ASSIGNED to Budget and Finance Committee

121068 [Accept and Expend Grant - Brownfields Assessment Project - $400,000]
Sponsor: Mayor
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $400,000 from the United States Department of Environmental Protection to support the Brownfields Assessment Project by performing site assessments and preparing cleanup plans for potentially contaminated properties located in the Southeast area of San Francisco, in support of the Blue Greenway Project for the period of October 1, 2012, through October 31, 2015.
10/30/12: RECEIVED AND ASSIGNED to Budget and Finance Committee

121069 [Accept and Expend Grant - FY2012 Urban Areas Security Initiative Program - $21,931,312]
Sponsor: Mayor
Resolution authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the primary grantee of Urban Areas Security Initiative (UASI) funds for the Bay Area Urban Area and as the fiscal agent for the UASI Approval Authority, to retroactively accept and expend a FY2012 UASI Program grant in the amount of $21,931,312 from the U.S. Department of Homeland Security through the California Emergency Management Agency for the period of October 12, 2012, through May 31, 2014.
10/30/12: RECEIVED AND ASSIGNED to Budget and Finance Committee.

121070 [Contract Amendment - New Flyer of America, Inc. - Purchase Low Floor Diesel-Hybrid Buses - Not to Exceed $48,669,369]
Sponsor: Wiener
Resolution approving Amendment No. 1 to Contract No. SFMTA-2013-08 with New Flyer of America, Inc., to purchase 17 additional 40-foot low floor diesel-hybrid buses through the Cooperative Purchasing Venture established by the State of Minnesota's Materials Management Division, for an additional amount of $11,780,005 and a total contract amount of $48,669,369. (Fiscal Impact)
10/30/12: RECEIVED AND ASSIGNED to Budget and Finance Committee

121071 [Urging Muni to Prioritize Eligible Funds for Low-Income Youth and Maintenance]
Sponsor: Wiener
Resolution urging Muni to prioritize funding for vehicle and equipment maintenance, rehabilitation, and purchase in light of deteriorating Muni service.
(Supervisor Chiu dissented in committee.)
10/30/12: RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

121072 [Accept and Expend Grant - Medical Monitoring Project - $196,104]
Sponsor: Wiener
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $196,104 from Centers for Disease Control and Prevention to participate in a program entitled Medical Monitoring Project for the period of June 1, 2012, through May 31, 2013.

10/30/12; RECEIVED AND ASSIGNED to Budget and Finance Committee

121073 [Accept and Expend Grant - Enhancing Engagement and Retention in Quality HIV Care - $300,000]
Sponsor: Wiener
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $300,000 from the Health Resources and Services Administration to participate in a program entitled "Enhancing Engagement and Retention in Quality HIV Care for Transgender Women of Color - Demonstration Sites" for the period of September 1, 2012, through August 31, 2013, and waiving indirect costs.

10/30/12; RECEIVED AND ASSIGNED to Budget and Finance Committee

121074 [Accept and Expend Grant - Special Projects of National Significance Program - $300,000]
Sponsor: Wiener
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $300,000 from the Health Resources and Services Administration to participate in a program entitled "Special Projects of National Significance Program Building a Medical Home for Multiply Diagnosed HIV Positive Homeless Populations - Demonstration Sites" for the period of September 1, 2012, through August 31, 2013, and waiving indirect costs.

10/30/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121075 [Clean Water Act 40th Anniversary]
Sponsor: Cohen
Resolution recognizing the 40th Anniversary of the Federal Clean Water Act and commending the San Francisco Public Utilities Commission for Clean Water Act implementation.

10/30/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

121076 [Urging the Commissioners of Men's Sports to Publicly Support Lesbian, Gay, Bisexual, and Transgender Athletes]
Sponsors: Olague; Campos and Mar
Resolution requesting the Commissioners of professional men's sports to take part in the Last Closet Campaign, by going on record in a public interview in support of Lesbian, Gay, Bisexual, and Transgender athletes and to commit to setting up support systems and safeguards that allow athletes to be openly out and participate in sports without worry of discrimination or retaliation.

10/30/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

121079 **[2013 Board of Supervisors Regular Meeting Schedule]**
Motion establishing the 2013 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 1, January 8, January 22, February 19, May 28, July 2, October 15, November 12, and December 3; and by further canceling all Board and Committee meetings during the summer and winter breaks from July 31 through August 30, and December 18 through December 31. (Clerk of the Board)

10/30/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

121080 **[Committee of the Whole - Real Property Leases - 110-12th Street, 875 Stevenson Street, and 1155 Market Street]**
Sponsor: Kim
Motion directing the Board of Supervisors to hold a public hearing on November 6, 2012, at 3:00 p.m., with the Board sitting as a Committee of the Whole, to consider adopting Resolutions associated with various real property leases located at 110-12th Street, 875 Stevenson Street, and 1155 Market Street (File Nos. 121046, 121047, 121048).

10/30/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

121077 **[Hearing - After-School Programming for Students in the San Francisco Unified School District]**
Sponsors: Avalos; Campos and Farrell
Hearing on availability and gaps in after-school programming for students in the San Francisco Unified School District, including status of state and local funding, strategies for maximizing resources and addressing shortfalls, and estimated costs to provide universal after-school care in the near future.

10/30/12; RECEIVED AND ASSIGNED to City and School District Select Committee.

121078 **[Hearing - Locate a Public Middle School in Potrero Hill]**
Sponsor: Cohen
Hearing on the proposal to locate a public middle school in Potrero Hill.

10/30/12; RECEIVED AND ASSIGNED to City and School District Select Committee.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED ORDINANCE

121036 [Settlement of Lawsuit - Gilles Combrisson et al. - Not to Exceed $320,000]
Ordinance authorizing settlement of the class action lawsuit filed by Gilles Combrisson, William Phillips, Patrick Hagemeister, and Ranell Hansen against the City and County of San Francisco for an amount not to exceed $320,000; the lawsuit was filed on June 12, 2009, in San Francisco Superior Court, Case No. CGC-09-489400; entitled Gilles Combrisson, et al. v. City and County of San Francisco, et al. (City Attorney's Office)

10/19/12: RECEIVED FROM DEPARTMENT.

10/30/12: RECEIVED AND ASSIGNED to Rules Committee

PROPOSED RESOLUTIONS

121032 [Agreement - SFO Shuttle Bus Company - Shuttle Bus Services - Not to Exceed $105,000,000]
Resolution approving the agreement between SFO Shuttle Bus Company and the City and County of San Francisco to provide shuttle bus services at San Francisco International Airport acting by and through its Airport Commission. (Airport Commission)

10/18/12: RECEIVED FROM DEPARTMENT

10/30/12: RECEIVED AND ASSIGNED to Budget and Finance Committee

121034 [Real Property Lease - 1380 Howard Street - Community Behavioral Health Services - Department of Public Health - $118,259.38-$131,584.38 Monthly]
Resolution authorizing the extension of a lease of 79,950 sq. ft. of office space at 1380 Howard Street for use by the Department of Public Health's Community Behavioral Health Services Division for a term of an additional five years from January 1, 2013, through December 31, 2017, at a monthly rate of $118,259.38 for the first six months of the extended term and then $131,584.38 per month for the remainder of the extended term. (Real Estate Department)
(Fiscal Impact)

10/18/12: RECEIVED FROM DEPARTMENT.

10/30/12: RECEIVED AND ASSIGNED to Budget and Finance Committee

121035 **[Real Property Lease - 760 Harrison Street - Cort Family Living Trust - Department of Public Health - $25,350 Monthly]**

Resolution retroactively authorizing the extension of a lease of real property at 760 Harrison Street for the Department of Public Health with the Cort Family Living Trust for a term of an additional five years from July 1, 2012, to June 30, 2017, at a monthly rate of $25,350. (Real Estate Department)

10/18/12. RECEIVED FROM DEPARTMENT.

10/30/12. RECEIVED AND ASSIGNED to Budget and Finance Committee.

121037 **[Airport Lease Agreements - Cellular Service Equipment Sites - $350,000 Plus Annual Increases]**

Resolution approving the Cellular Service Equipment Sites Leases between New Cingular Wireless PCS, LLC., Nextel of California, Inc., and Sprint Spectrum Realty Company, L.P., GTE Mobilnet of California Limited Partnership, dba Verizon Wireless, and T-Mobile West Corporation and the City and County of San Francisco, acting by and through its Airport Commission retroactive to July 1, 2009, with a term of five years, and approving Amendment No. 1 to the Cellular Service Equipment Leases with New Cingular Wireless PCS, LLC., Nextel of California, Inc., and Sprint Spectrum Realty Company, L.P., and GTE Mobilnet of Califomia Limited Partnership, dba Verizon Wireless, with a base annual rent of $350,000 to be increased annually by $25,000. (Airport Commission)

10/19/12. RECEIVED FROM DEPARTMENT.

10/30/12. RECEIVED AND ASSIGNED to Budget and Finance Committee.

121038 **[Avigation Easements - San Mateo County - San Francisco International Airport's Noise Insulation Program]**

Resolution approving: 1) the acquisition of thirty Avigation Easements from various property owners in San Mateo County required for the San Francisco International Airport's Noise Insulation Program; 2) adopting findings that the project is categorically exempt from environmental review under the California Environmental Quality Act Class 1: Existing Facilities; 3) adopting findings that the acquisition is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and 4) authorizing the Director of Property and Mayor to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Real Estate Department)

10/22/12. RECEIVED FROM DEPARTMENT.

10/30/12. RECEIVED AND ASSIGNED to Land Use and Economic Development Committee

Request Granted

From: Supervisor Avalos
To: Director, Department of the Environment
Requesting/Inquiring: Requesting that the Department of the Environment coordinate with the office of Supervisor Avalos, District 11 residents, the Department of Public Works, the Office of Small Business, and Recology to develop a plan for addressing the neighborhood and environmental impacts caused by small-scale scavengers who collect and sort junk and recyclable materials in residential neighborhoods.

In Memoriams

Marta Silvia Solotar – Supervisor David Chiu
Alan Farley – Supervisor Eric Mar
Paul Addis – Supervisor John Avalos

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:24 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 11, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

AUG 15 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, November 6, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 11:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Elsbernd, Wiener, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Avalos	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Avalos, moved to approve the Board Meeting Minutes of October 2, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

There were none.

CONSENT AGENDA

There were no items.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

120220 **[Planning Code - Signage Requirements for Privately-Owned Public Open Spaces]**
Sponsor: Chiu
Ordinance amending the San Francisco Planning Code to: 1) consolidate into Section 138 the requirements for privately-owned public open space; 2) create a new Zoning Administrator Bulletin that will contain detailed design and graphics requirements for the required informational plaques; and 3) make environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and Planning Code Section 101.1.

Ordinance No. 228-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120882 **[Administrative Code - Board of Supervisors Review of Affordable Housing Trust Fund]**
Sponsor: Chiu
Ordinance amending the San Francisco Administrative Code by adding Section 1.60 to require the Mayor's Office of Housing and the Planning Department to report to the Board of Supervisors every five years on the implementation of Charter Section 16.110, the Affordable Housing Trust Fund Charter Amendment.

Ordinance No. 230-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121033 **[Planning Code - Limited Commercial Uses in Residential Transit Oriented Mission District]**
Sponsors: Campos; Chiu
Ordinance amending the San Francisco Planning Code Section 231 to allow for greater size and depth from the corner for limited commercial uses in the Residential Transit Oriented Mission (RTO-M) District; and making environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Ordinance No. 231-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Rules Committee

120815 [Health Code - Bed Bug Infestation Prevention, Treatment, Disclosure and Reporting]

Sponsors: Kim; Campos

Ordinance amending the San Francisco Health Code by adding Article 11A requiring: 1) the Department of Public Health ("DPH") to provide written information outlining the rights and responsibilities of tenants, property owners and Pest Control Operators ("PCO") regarding the prevention and treatment of bed bug infestations; 2) DPH to develop a training curriculum on bed bug abatement; 3) owners to respond to bed bug infestation complaints; 4) property owners to disclose bed bug infestation history for the previous two years; 5) DPH to collect and publish bed bug data on a quarterly basis; 6) the Health Department to conduct a biannual public hearing to review DPH's written materials, and adopt amendments as appropriate; establishing enforcement procedures; and making environmental findings.

Ordinance No. 229-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Government Audit and Oversight Committee

120840 [Board Response - Civil Grand Jury Report - Deja Vu All Over Again: San Francisco's City Technology Needs a Culture Shock]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2011-2012 Civil Grand Jury report entitled "Deja Vu All Over Again: San Francisco's City Technology Needs a Culture Shock" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

Resolution No. 412-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120842 **[Board Response - Civil Grand Jury Report - Better MUNI Service Needed, Without Switchbacks: An Investigation into the San Francisco Municipal Transportation Agency]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2011-2012 Civil Grand Jury report entitled "Better MUNI Service Needed, Without Switchbacks: An Investigation into the San Francisco Municipal Transportation Agency" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

Resolution No. 413-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Land Use and Economic Development Committee

120816 **[Administrative Code - Port Pre-Payment of Jobs-Housing Linkage Program Obligations]**

Sponsor: Kim

Ordinance amending the San Francisco Administrative Code, by adding Section 61.12, to authorize pre-payment of Jobs-Housing Linkage Program obligations for developments on certain Port lands; and adopting environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

The Board recessed at the hour of 2:31 p.m. and reconvened at 3:00 p.m.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 121080, approved November 6, 2012.)

121081 **[Public Hearing - Real Property Leases - 110-12th Street, 875 Stevenson Street, and 1155 Market Street]**
Sponsor: Kim
Hearing of persons interested in or objecting to consider adopting Resolutions associated with various real property leases located at 110-12th Street, 875 Stevenson Street, and 1155 Market Street (File Nos. 121046, 121047, 121048).

The President inquired as to whether any member of the public wished to address the Board relating to real property leases of various properties as referenced in File Nos. 121046, 121047, and 121048. John Updike, Real Estate Department Director, provided an overview of the proposed real property leases and responded to questions raised throughout the discussion. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

121046 **[Real Property Lease - 110-12th Street - St. James Family Partnership, L.P. - ReproMail]**
Sponsor: Mayor
Resolution authorizing the lease of 10,469 sq. ft. of space at 110-12th Street with the St. James Family Partnership, L.P., for use by the Office of Contract Administration's ReproMail for the term of approximately ten years commencing on February 1, 2013 and terminating January 31, 2023 for the renovation of the property.

Resolution No. 407-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121047 **[Real Property Lease Amendment - SRI Nine Market Square, LLC - 875 Stevenson Street - Renovation of the Property]**
Sponsor: Mayor
Resolution authorizing the Fourth Amendment to Lease of 875 Stevenson Street floors 1, 3 and 4, terminating said lease with SRI Nine Market Square, LLC for the renovation of the property.

Resolution No. 408-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121048 **[Real Property Lease - 1155 Market Street - 1155 SF Partners, LLC - Various City Departments]**
Sponsor: Mayor
Resolution authorizing the lease of approximately 103,501 sq. ft. of space at 1155 Market Street with 1155 SF Partners, LLC, for use by various City Departments for the term of approximately ten years commencing January 15, 2013, and terminating on January 14, 2023 for renovation of the property.

Resolution No. 409-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

There were none.

COMMITTEE REPORTS

Recommendations of the Budget and Finance Committee

120965 **[Business and Tax Regulations Code - Prevent Termination of Payroll Expense Tax Exclusion for Small Business Net New Payroll if Voters Adopt Gross Receipts Tax]**
Sponsors: Farrell; Campos, Elsbernd, Chu, Wiener and Cohen
Ordinance amending the San Francisco Business and Tax Regulations Code Article 12-A by amending Section 906.5 to prevent the Payroll Expense Tax Exclusion for Small Business Net New Payroll for years 2012 through 2015 from terminating in the event the voters of the City and County of San Francisco pass a gross receipts tax.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121020 **[Real Property Purchase Agreement - 1550 Evans Avenue and 330 Newhall Street - San Francisco Public Utilities Commission - $15,000,000]**
Sponsor: Cohen
Resolution approving and authorizing an agreement for the purchase of a parcel of real estate located at 1550 Evans Avenue and 330 Newhall Street (Assessor Block No. 5203, Lot No. 035), consisting of approximately 4.68 acres improved with 50,593 square feet of office/industrial buildings for the San Francisco Public Utilities Commission, for a purchase price of $15,000,000; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution.

Resolution No. 406-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121023 **[Grant Agreement - Kelly Cullen Community - 220 Golden Gate Avenue - Not to Exceed $18,475,118]**

Sponsor: Mayor

Resolution authorizing the Director of the Mayor's Office of Housing to execute a Local Operating Subsidy Program Grant Agreement with 220 Golden Gate Master Tenant, LP, to provide operating subsidies for formerly homeless single adults at Kelly Cullen Community, 220 Golden Gate Avenue, for the period of December 1, 2012, to November 30, 2027, in an amount not to exceed $18,475,118.

Resolution No. 410-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121041 **[Accept and Expend Grant - Energy Efficiency Program - $2,977,000]**

Sponsor: Mar

Resolution retroactively authorizing the Department of the Environment to accept and expend a grant in the amount of $2,977,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to continue an energy use and demand reduction through Energy Efficiency Program in the City and County of San Francisco for the period of October 15, 2012, through December 31, 2012.

Resolution No. 411-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Douglas Yep; expressed various concerns relating to Committee hearings.
Walter Paulson; shared in song certain concerns with the Board.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

121080 **[Committee of the Whole - Real Property Leases - 110-12th Street, 875 Stevenson Street, and 1155 Market Street]**

Sponsor: Kim

Motion directing the Board of Supervisors to hold a public hearing on November 6, 2012, at 3:00 p.m., with the Board sitting as a Committee of the Whole, to consider adopting Resolutions associated with various real property leases located at 110-12th Street, 875 Stevenson Street, and 1155 Market Street (File Nos. 121046, 121047, 121048).

Motion No. M12-131

APPROVED

121075 [Clean Water Act 40th Anniversary]
Sponsor: Cohen
Resolution recognizing the 40th Anniversary of the Federal Clean Water Act and commending the San Francisco Public Utilities Commission for Clean Water Act implementation.

Resolution No. 414-12

ADOPTED

121076 [Urging the Commissioners of Men's Sports to Publicly Support Lesbian, Gay, Bisexual, and Transgender Athletes]
Sponsors: Olague; Campos and Mar
Resolution requesting the Commissioners of professional men's sports to take part in the Last Closet Campaign, by going on record in a public interview in support of Lesbian, Gay, Bisexual, and Transgender athletes and to commit to setting up support systems and safeguards that allow athletes to be openly out and participate in sports without worry of discrimination or retaliation.

Resolution No. 415-12

ADOPTED

121079 [2013 Board of Supervisors Regular Meeting Schedule]
Motion establishing the 2013 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 1, January 8, January 22, February 19, May 28, July 2, October 15, November 12, and December 3; and by further canceling all Board and Committee meetings during the summer and winter breaks from July 31 through August 30, and December 18 through December 31. (Clerk of the Board)

Motion No. M12-132

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

120193 [Public Works Code - Mobile Food Truck Locations]
Sponsors: Wiener; Olague
Ordinance amending the San Francisco Public Works Code Article 5.8 to address various locational and noticing requirements concerning mobile food facilities; and making environmental findings.
(Economic Impact)

02/28/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/29/2012.

03/06/12; REFERRED TO DEPARTMENT.

03/09/12; RESPONSE RECEIVED.

09/05/12; REMAIN ACTIVE.

11/06/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

120996 [Planning Code - Efficiency Dwelling Units - Numerical Cap and Open/Common Space Requirements]
Sponsor: Wiener
Ordinance amending the San Francisco Planning Code by adding Section 318 to put a cap on the number of Efficiency Dwelling Units, as defined in the Building Code, that can be constructed with reduced square footage unless the units are group housing, affordable housing, or student housing; amending Section 135(d) and adding Section 135.4 to impose open space and common space requirements on Efficiency Dwelling Units with reduced square footage; and making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

10/09/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

10/17/12; REFERRED TO DEPARTMENT.

11/06/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

121064 [Business and Tax Regulations, Police Codes - Parking Stations - Revenue Control Equipment; License Regulations; Parking Tax Bonds; Administrative Citation Process]

Sponsor: Campos

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Article 6 (Common Administrative Provisions) to revise the bonding requirements for parking operators, revise the time to bring an action to collect tax; clarify the extent of a surety's liability; revise the administrative citation appeal process; and make other minor technical changes; amending Article 22 (Parking Stations; Revenue Control Equipment) to clarify that non-City governmental entities operating parking stations are exempt from the revenue control equipment requirements; and amending the San Francisco Police Code Article 17 (Miscellaneous License Regulations) to clarify that governmental entities operating parking garages or parking lots are exempt from the permitting requirements applicable to other commercial parking garage and valet operations.

10/30/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/30/2012.

11/06/12; REFERRED TO DEPARTMENT.

11/06/12; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

121105 [Administrative Code - Expanding Public Utilities Commission Local Business Enterprise Contracting Opportunities]

Sponsor: Chiu

Ordinance amending the San Francisco Administrative Code Section 14B.2 and related provisions to increase contracting opportunities for certified Public Utilities Commission Local Business Enterprise and to make corresponding technical changes; and making environmental findings and findings of consistency with the General Plan.

11/06/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/6/2012.

121106 [Settlement of Lawsuit - Pacific Rod and Gun Club]

Sponsor: Elsbernd

Ordinance authorizing settlement of the unlawful detainer lawsuit entitled City and County of San Francisco, et al., v. Pacific Rod and Gun Club, et al., filed on September 24, 2012, in San Francisco Superior Court, Case No. CUD-12-642832, regarding City-owned property located at 520 John Muir Drive in San Francisco; material terms of the settlement agreement include City and Club executing an amended and restated month-to-month lease with improved insurance, indemnity and other provisions in favor of the City, a new 90-day termination notice requirement, and a stipulation for entry of judgment without trial to facilitate City obtaining a writ of possession following such notice period.

11/06/12; RECEIVED AND ASSIGNED to Rules Committee.

121107 [Health Code - Disclosing Landlord's Prohibition of Smoking in Residential Rental Units; Designating Units as Smoke Free or Smoking Optional]
Sponsors: Mar; Cohen
Ordinance amending the San Francisco Health Code by adding Article 19M relating to multi-unit residential rental properties where less than 100 percent of the units are designated as smoke free, to require that owners designate each unit as either smoke free or smoking optional, and include that designation in residential vacancy listings; provide a list to a rental applicant showing the designation of units in the building as smoke free or smoking optional, before offering a unit to that applicant; disclose in writing to any rental applicant whether the landlord has designated the unit for rent as smoke free or smoking optional, prior to entering into a new lease or rental agreement; develop and maintain a master list available to all tenants that identifies the location of each smoke free unit and each smoking optional unit; and comply with a timeline and process to designate the units as smoke free or smoking optional (one year for owners of 50 units or less in the City, two years for owners of more than 50 units in the City).

11/06/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/6/2012.

121108 [Transportation Code - Selling or Distributing from a Vehicle Restrictions]
Sponsor: Wiener
Ordinance amending the San Francisco Transportation Code, Division I, Article 7 (Violations), Section 7.2.82 to prohibit any person to park a Mobile Food Facility vehicle in either a business district or a residential area and, from that vehicle, offer food or beverages for sale unless displaying a valid permit issued by the Department of Public Works, in a format and manner approved by the Municipal Transportation Agency.

11/06/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/6/2012.

Resolutions

121044 [Piers 30-32/Seawall Lot 330 - Warriors Development Project]
Sponsors: Mayor; Chu, Chiu, Farrell, Wiener and Mar
Resolution finding that a project proposed by GSW Arena LLC, an affiliate of the Golden State Warriors, to rehabilitate Port property at Piers 30-32, develop on the piers a multi-purpose venue useable for public assembly uses and other events, such as conventions, Warriors home games, cultural events, family shows and performing arts, and for other purposes, including public open space, maritime use, visitor serving retail, and related parking facilities, and develop on Seawall Lot 330 residential, hotel, and/or retail uses and accessory parking, is fiscally feasible and responsible under Administrative Code Chapter 29; urging City and Port officials to make evaluating the proposed project among its highest priorities; and to take all appropriate steps to further environmental review of the proposed project.
(Economic Impact)

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

10/31/12; REFERRED TO DEPARTMENT.

11/06/12; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

121109 [Expenditures from South of Market Community Stabilization Fund - $760,000]
Sponsor: Kim
Resolution authorizing the 2012 South of Market (SoMa) Community Stabilization Fund Program and authorizing the Mayor's Office of Housing to expend SoMa Community Stabilization Fund dollars in the amount of $760,000.

11/06/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121110 [Issuance of Tax Exempt Obligation - San Francisco Friends School - Not to Exceed $32,000,000]
Sponsor: Wiener
Resolution approving the issuance of a tax exempt obligation by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $32,000,000 to finance and refinance various capital facilities owned by San Francisco Friends School.

11/06/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121111 [Accept and Expend Grant - San Francisco Parks Alliance - Not to Exceed $280,000]
Sponsor: Wiener
Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant not to exceed $280,000 from the San Francisco Parks Alliance towards seven community projects funded with Community Opportunity Fund dollars for the period of May 1, 2012, through January 1, 2013.

11/06/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions

121088 [Committee of the Whole - December 11, 2012 - Public Hearing to Acquire Temporary Construction Licenses for Various Real Properties by Eminent Domain for Central Subway/Third Street Light Rail Extension Project]
Motion that the Board of Supervisors hold a public hearing on December 11, 2012, at 3:00 p.m., with the Board of Supervisors sitting as a Committee of the Whole, to consider acquisition of temporary construction licenses for various real properties by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension Project. (Clerk of the Board)

11/06/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

121112 **[Hearing - San Francisco Unified School District and City College of San Francisco - Potential Drastic Cuts]**
Sponsor: Farrell
Hearing to address immediate cuts of nearly $6,000,000,000 from the state budget if Propositions 30 and/or 38 fail and whether measures are in place to address these cuts and if not, what can be done to ensure our children are getting the education they deserve in the City and County of San Francisco. The San Francisco Unified School District stands to lose nearly $24,000,000 if the propositions fail and the City College of San Francisco could lose $10,000,000 or more.
11/06/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

121113 **[Performance Audit - Department of Public Health and Human Services Agency - Management Professional Services Contracts]**
Sponsor: Farrell
Hearing on the Budget and Legislative Analyst Office's audit of Department of Public Health and Human Services Agency's management of professional contract services, including how each Department determines the need for professional services, and measures and reports service levels and changes; policies and procedures for contract performance and performance measurement; and department-wide contracting policies and compliance.
11/06/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED ORDINANCE

121061 **[Planning Code - Landmark Designation of 401 Castro Street (Twin Peaks Tavern)]**
Sponsor: Wiener
Ordinance designating 401 Castro Street (Twin Peaks Tavern), Assessor's Block No. 3582, Lot No. 71, as a landmark under Article 10 of the San Francisco Planning Code; and adopting General Plan, Planning Code Section 101.1, and environmental findings. (Planning Department)
10/23/12; RECEIVED FROM DEPARTMENT.

11/06/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/6/2012.

PROPOSED RESOLUTION

121062 **[Agreement Amendment - MedImpact Healthcare Systems, Inc. - Third Party Pharmacy Administration Services at Community Pharmacies - $17,575,376]**
Resolution approving the third amendment to the agreement between the Department of Public Health and MedImpact Healthcare Systems, Inc., for third party pharmacy administration services at community pharmacies to increase the total contract amount from $9,900,000 for the term of July 1, 2008, through June 30, 2014, by $8,804,318 for a total contract amount of $18,704,318 for six years. (Public Health Department)

10/29/12; RECEIVED FROM DEPARTMENT.

11/06/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriam

Esther Jachimowicz - Supervisor Carmen Chu

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:18 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 11, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

AUG 15 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, November 20, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 1:00 PM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Fewer, Maufas, Commissioners Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Elsbernd, Wiener, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:30 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Kim, Farrell, Avalos	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of October 9, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

121122 [Formal Policy Discussions - November 20, 2012]
Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted by the Supervisors representing Districts 6 and 10. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. What are the current procedures for recouping cost incurred through street closures for major conventions like Salesforce's Dreamforce and Oracle's Open World? Specifically, what costs are being reimbursed to the City beyond permitting fees? What costs incurred by Departments other than Municipal Transportation Agency and San Francisco Police Department is being recouped? In addition to the required traffic control plan, how else is the City ensuring that major corporations allow pedestrian and cyclist access in case of street closures? And finally does the City evaluate increased traffic congestion in downtown areas when permitting street closures on major arterials like Howard Street between 3rd and 4th Streets and do we evaluate the cost of that congestion and recoup that cost? (Supervisor Kim, District 6)

2. With the November election behind us, our Federal delegation is contending with potentially significant budget cuts as a result of sequestration. Have you examined what some of the potential impacts of these cuts may be to City programs and services, particularly those who serve the poor and those in federally subsidized housing? (Supervisor Cohen, District 10)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

120965 [Business and Tax Regulations Code - Prevent Termination of Payroll Expense Tax Exclusion for Small Business Net New Payroll if Voters Adopt Gross Receipts Tax]
Sponsors: Farrell; Campos, Elsbernd, Chu, Wiener and Cohen
Ordinance amending the San Francisco Business and Tax Regulations Code Article 12-A by amending Section 906.5 to prevent the Payroll Expense Tax Exclusion for Small Business Net New Payroll for years 2012 through 2015 from terminating in the event the voters of the City and County of San Francisco pass a gross receipts tax.
(Fiscal Impact)

Ordinance No. 233-12

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

120816 **[Administrative Code - Port Pre-Payment of Jobs-Housing Linkage Program Obligations]**
Sponsor: Kim
Ordinance amending the San Francisco Administrative Code, by adding Section 61.12, to authorize pre-payment of Jobs-Housing Linkage Program obligations for developments on certain Port lands; and adopting environmental findings.

Ordinance No. 232-12

FINALLY PASSED

Recommendations of the Rules Committee

120657 **[Settlement of Lawsuit - Michael Horan - $250,000]**
Ordinance authorizing settlement of the lawsuit filed by Michael Horan against the City and County of San Francisco for $250,000; the lawsuit was originally filed on September 25, 2009, in San Francisco Superior Court, Case No. CGC-09-492910, removed to United States District Court, Northern District, Case No. CV-10-01383; entitled Michael Horan v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING

120976 **[Settlement of Lawsuit - Rehab Financial Corporation - City to Receive $164,099]**
Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Rehab Financial Corporation, Gayle Bloomingdale, and Barbara Wood for payment to the City of $164,099; the lawsuit was filed on March 30, 2010, and is pending in San Mateo County Superior Court, Case No. CIV506113; entitled City and County of San Francisco, et al., v. Rehab Financial Corporation, et al. (City Attorney's Office)

PASSED, ON FIRST READING

120994 **[Settlement of Lawsuit - Christine McGuire - $27,000]**
Ordinance authorizing settlement of the lawsuit filed by Christine McGuire against the City and County of San Francisco for $27,000; the lawsuit was filed on January 6, 2011, in San Francisco Superior Court, Case No. CGC-11-507062; entitled McGuire v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING

121014 **[Settlement of Lawsuit - Leslie Jones - $197,500]**
Ordinance authorizing settlement of the lawsuit filed by Leslie Jones against the City and County of San Francisco for $197,500; the lawsuit was filed on August 5, 2010, in San Francisco Superior Court, Case No. CGC-10-502290; entitled Leslie Jones, et al. v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING

121015 [Settlement of Lawsuit - Acquila Yeargin - $27,500]

Ordinance authorizing settlement of the lawsuit filed by Acquila Yeargin against the City and County of San Francisco for $27,500; the lawsuit was filed on July 7, 2010, in San Francisco Superior Court, Case No. CGC-10-501334; entitled Acquila Yeargin v. Brandon Thompson, et al. (City Attorney's Office)

PASSED, ON FIRST READING

121036 [Settlement of Lawsuit - Gilles Combrisson et al. - Not to Exceed $320,000]

Ordinance authorizing settlement of the class action lawsuit filed by Gilles Combrisson, William Phillips, Patrick Hagemeister, and Ranell Hansen against the City and County of San Francisco for an amount not to exceed $320,000; the lawsuit was filed on June 12, 2009, in San Francisco Superior Court, Case No. CGC-09-489400; entitled Gilles Combrisson, et al. v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING

120993 [Settlement of Unlitigated Claim - Trico Construction - $440,000]

Resolution approving settlement of the unlitigated claim filed by Galliera, Inc., dba Trico Construction (Trico), against City and County of San Francisco for $440,000. (City Attorney)

Resolution No. 418-12

ADOPTED

121059 [Appointment, Commission on the Aging Advisory Council - Catherine Rose Russo]

Motion appointing Catherine Rose Russo, term ending March 31, 2014, to the Commission on the Aging Advisory Council. (Clerk of the Board)

Motion No. M12-133

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

120550 [Affirming Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]
Sponsors: Campos; Farrell and Chiu
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan.

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to December 11, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120551 [Reversing Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to December 11, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120552 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]
Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to December 11, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee

120191 [Building Code - Definition of Efficiency Unit]
Sponsor: Wiener
Ordinance amending the San Francisco Building Code Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units in new structures or buildings pursuant to Section 17958.1 of the California Health and Safety Code; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Noes: 1 - Avalos

120352 [Administrative Code - Housing Preservation and Production]
Sponsors: Olague; Kim, Campos and Mar
Ordinance amending the San Francisco Administrative Code by 1) amending the title of Chapter 10E and adding Section 10E.4 to monitor San Francisco's housing preservation and production policies and goals; and 2) making environmental finding.
(Supervisor Wiener dissented in Committee.)

Supervisor Olague, seconded by Supervisor Kim, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague
Noes: 4 - Chu, Elsbernd, Farrell, Wiener

Ordinance amending the San Francisco Administrative Code by amending the title of Chapter 10E and adding Section 10E.4 to monitor San Francisco's housing preservation and production policies and goals, and making environmental findings.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120523 [Planning Code - Transit Impact Development Fee Increase and Updates]
Sponsors: Mayor; Wiener and Olague
Ordinance amending the San Francisco Planning Code, Article 4, by revising and making technical corrections to specified definitions in Section 401 relating to the Transit Impact Development Fee (TIDF), amending Sections 402, 408, 411 through 411.5, 411.7, 411.8, and adding a new Section 411.9 to increase TIDF rates, revise exemptions and credits, and clarify TIDF implementation and collection, and making environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

Supervisor Wiener, seconded by Supervisor Cohen, moved that this Ordinance be CONTINUED ON FIRST READING to December 4, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

120997 **[Appropriating $1,412,000 for San Francisco Unified School District - FY2012-2013]**
Sponsors: Kim; Campos, Mar, Avalos and Olague
Ordinance appropriating $2,705,000 of State Reserves for the San Francisco Unified School District for FY2012-2013.
(Fiscal Impact)
(Supervisor Chu dissented in Committee.)

Supervisor Kim, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED ON FIRST READING to December 4, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120963 **[Business and Tax Regulations Code - Improvement Districts: Longer Term When Assessments Pledged to Bond, Lease, or Other Obligations; Alternative 2/3 Weighted Vote by Businesses]**
Sponsor: Mayor
Ordinance amending San Francisco Business and Tax Regulations Code, Article 15 (Business Improvement Districts Procedure Code), Sections 1510 and 1511, and by adding Section 1515, to provide for a district term of up to 40 years when assessments are pledged or applied to pay any bond, financing lease (including any certificates of participation therein), or other similar obligations of the City; authorize the Board of Supervisors to require a weighted two-thirds (2/3) vote of business owners to be assessed, based on ballots cast, as an alternative or additional procedure for establishing a business improvement district and levying assessments; and clarify existing provisions and update references to state law; and making a finding that California Constitution, Article XIIID, does not apply to the levy of business assessments authorized by Business and Tax Regulations Code, Article 15.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120989 **[Resolution of Intention - Moscone Expansion Business Improvement District]**
Sponsor: Mayor
Resolution declaring the intention of the Board of Supervisors to establish a business-based business improvement district to be known as the "Moscone Expansion District" and levy a multi-year assessment on defined hotel businesses in the district; approving the management district plan for the district; ordering a ballot election and setting a time and place for a public meeting and a public hearing; approving the form of the Notice of Public Meeting and Public Hearing and Assessment Ballots; directing the Clerk of the Board of Supervisors to give notice of the public meeting and public hearing as required by law; and providing for environmental findings.
(Fiscal Impact)

Resolution No. 416-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121009 [Master Lease Amendment - Treasure Island Fire Fighting Training Center]
Resolution approving the Fourth Amendment to the Treasure Island Fire Fighting Training Center Master Lease between the Treasure Island Development Authority and the United States Navy to Extend the Term. (Treasure Island Development Authority)

Resolution No. 420-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121032 [Agreement - SFO Shuttle Bus Company - Shuttle Bus Services - Not to Exceed $105,000,000]
Resolution approving the agreement between SFO Shuttle Bus Company and the City and County of San Francisco to provide shuttle bus services at San Francisco International Airport acting by and through its Airport Commission not to exceed $105,000,000 for a term December 1, 2012, through June 30, 2016, plus three options for two years each. (Airport Commission)
(Fiscal Impact)

Resolution No. 421-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121043 [Agreement - Workers' Compensation Third Party Administrator Services - Not to Exceed $26,288,201]
Sponsor: Mayor
Resolution authorizing the San Francisco Municipal Transportation Agency and the Department of Human Resources to retroactively execute an agreement with Intercare Holdings Insurance Services, Inc., for Workers' Compensation Third Party Administrator services for an amount not to exceed $26,288,201 and for a term of three years, with an option to extend the term for up to an additional two years.

Resolution No. 422-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121067 [Accept and Expend Grant - Adolescent Health Working Group Health Education Collaborative - $120,000]
Sponsor: Cohen
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $120,000 from The California Wellness Foundation to participate in a program entitled Adolescent Health Working Group Health Education Collaborative for the period of October 1, 2012, through September 30, 2014.

Resolution No. 423-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121044 [Piers 30-32/Seawall Lot 330 - Warriors Development Project]
Sponsors: Mayor; Chu, Chiu, Farrell, Wiener and Mar

Resolution finding that a project proposed by GSW Arena LLC, an affiliate of the Golden State Warriors, to rehabilitate Port property at Piers 30-32, develop on the piers a multi-purpose venue useable for public assembly uses and other events, such as conventions, Warriors home games, cultural events, family shows and performing arts, and for other purposes, including public open space, maritime use, visitor serving retail, and related parking facilities, and develop on Seawall Lot 330 residential, hotel, and/or retail uses and accessory parking, is fiscally feasible and responsible under Administrative Code Chapter 29; urging City and Port officials to make evaluating the proposed project among its highest priorities; and to take all appropriate steps to further environmental review of the proposed project.
(Economic Impact)

Supervisor Kim, seconded by Supervisor Campos, moved that this Resolution be AMENDED on Page 11, Line 17, by deleting 'FURTHER RESOLVED, That future discretionary approvals from the Board of Supervisors will be heard by the CAC prior to approval including the term sheet, the DDA, the Waterfront Land Use Amendment, zoning amendments and other transaction documents; and, be it'; and on Page 11, Line 21, by adding 'FURTHER RESOLVED, That the Board of Supervisors will not take action on the term sheet, the Piers 30-32 Ground Lease and the SWL 330 Conveyance or Lease Agreement, and any proposed zoning amendments or amendments to the Waterfront Land Use Plan, until after the Piers 30-32 CAC holds meetings to review and discuss those items; and, be it'. The motion carried by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague, Wiener
Noes: 3 - Chu, Elsbernd, Farrell

(Economic Impact)
(Fiscal Impact)

Resolution No. 417-12

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121068 [Accept and Expend Grant - Brownfields Assessment Project - $400,000]
Sponsor: Mayor

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $400,000 from the United States Department of Environmental Protection to support the Brownfields Assessment Project by performing site assessments and preparing cleanup plans for potentially contaminated properties located in the Southeast area of San Francisco, in support of the Blue Greenway Project for the period of October 1, 2012, through October 31, 2015.

Resolution No. 424-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121069 [Accept and Expend Grant - FY2012 Urban Areas Security Initiative Program - $21,931,312]

Sponsor: Mayor

Resolution authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the primary grantee of Urban Areas Security Initiative (UASI) funds for the Bay Area Urban Area and as the fiscal agent for the UASI Approval Authority, to retroactively accept and expend a FY2012 UASI Program grant in the amount of $21,931,312 from the U.S Department of Homeland Security through the California Emergency Management Agency for the period of October 12, 2012, through May 31, 2014.

Resolution No. 425-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121006 [Master Lease Extension - Department of Public Health - 2176-78 Mission Street - $32,363.07 Per Month with Annual Increases]

Resolution authorizing the extension of a Master Lease of Real Property at 2176-78 Mission Street for the Department of Public Health for ten years, $32,363.07 per month for the period of December 5, 2012, to December 4, 2013, and subsequently subject to increases pursuant to the Consumer Price Index yearly. (Real Estate Department)
(Fiscal Impact)

Resolution No. 419-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121072 [Accept and Expend Grant - Medical Monitoring Project - $196,104]

Sponsor: Wiener

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $196,104 from Centers for Disease Control and Prevention to participate in a program entitled Medical Monitoring Project for the period of June 1, 2012, through May 31, 2013.

Resolution No. 427-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121073 [Accept and Expend Grant - Enhancing Engagement and Retention in Quality HIV Care - $300,000]

Sponsor: Wiener

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $300,000 from the Health Resources and Services Administration to participate in a program entitled "Enhancing Engagement and Retention in Quality HIV Care for Transgender Women of Color - Demonstration Sites" for the period of September 1, 2012, through August 31, 2013, and waiving indirect costs.

Resolution No. 428-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121074 **[Accept and Expend Grant - Special Projects of National Significance Program - $300,000]**

Sponsor: Wiener

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $300,000 from the Health Resources and Services Administration to participate in a program entitled "Special Projects of National Significance Program Building a Medical Home for Multiply Diagnosed HIV Positive Homeless Populations - Demonstration Sites" for the period of September 1, 2012, through August 31, 2013, and waiving indirect costs.

Resolution No. 429-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the City Operations and Neighborhood Services Committee

120984 **[Police Code - Prohibiting Public Nudity]**

Sponsor: Wiener

Ordinance amending the San Francisco Police Code by adding Section 154 to prohibit nudity on public streets, sidewalks, street medians, parklets, and plazas, and on public transit vehicles, stations, platforms, and stops, except as part of permitted parades, fairs, and festivals.

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Ordinance amending the San Francisco Police Code by adding Section 154 to prohibit nudity on public streets, sidewalks, street medians, parklets, plazas, and public rights-of-way, and on public transit vehicles, stations, platforms, and stops, except as part of permitted parades, fairs, and festivals.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener

Noes: 5 - Avalos, Campos, Kim, Mar, Olague

Recommendation of the Rules Committee

120221 **[Administrative Code - Extension of Public Utilities Revenue Bond Oversight Committee]**

Sponsor: Farrell

Ordinance amending the San Francisco Administrative Code, Section 5A.36 to extend the sunset date of the Public Utilities Revenue Bond Oversight Committee to January 1, 2016.

Supervisor Farrell, seconded by Supervisor Chu, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Kim, seconded by Supervisor Olague, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to the Housing Inspection Division of the Department of Building Inspection in recognition of their accomplishments and continued community support.

Supervisor Olague introduced, welcomed, and presented Certificates of Honor to Pamela Palpallatoc, Esq., Philip Tam, Marshall Johnson, Leland Rubin, and Martha Hollins in recognition of their tremendous work to improve the conditions of public housing, commitment to serving low-income residents, and continued community support.

SPECIAL ORDER 4:00 P.M.

120849 [Public Hearing - Tentative Parcel Map Appeal - 1101-1103 Dolores Street]
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated August 9, 2012, approving a Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033. (District 8) (Appellants: Kevin Cheng and Todd Mavis) (Filed August 20, 2012). (Clerk of the Board)

The President indicated receipt of a letter from the appellant, dated November 19, 2012, withdrawing their appeal. The President inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing closed.

HEARD AND FILED

120850 [Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map - 1101-1103 Dolores Street]
Motion approving decision of the Department of Public Works and approving the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; approving the decision of the Department of Public Works. (Clerk of the Board)

Motion No. M12-134

Supervisor Wiener, seconded by Supervisor Chu, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120851 **[Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map - 1101-1103 Dolores Street]**
Motion disapproving decision of the Department of Public Works and disapproving the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120852 **[Preparation of Findings Related to the Tentative Parcel Map Disapproval - 1101-1103 Dolores Street]**
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMITTEE REPORTS

Recommendation of the Government Audit and Oversight Committee

121071 **[Urging Muni to Prioritize Eligible Funds for Low-Income Youth and Maintenance]**
Sponsor: Wiener
Resolution urging Muni to prioritize funding for vehicle and equipment maintenance, rehabilitation, and purchase in light of deteriorating Muni service.
(Supervisor Chiu dissented in committee.)

Supervisor Campos, seconded by Supervisor Olague, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague
Noes: 4 - Chu, Elsbernd, Farrell, Wiener

Resolution urging Muni to prioritize funding for low-income youth in light of deep cuts to yellow school bus and the impact of the down-turned economy on low-income families, and vehicle and equipment maintenance, rehabilitation, and purchase in light of deteriorating Muni service.

Resolution No. 426-12

ADOPTED AS AMENDED by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague
Noes: 4 - Chu, Elsbernd, Farrell, Wiener

Recommendations of the Land Use and Economic Development Committee

120996 **[Planning Code - Efficiency Dwelling Units - Numerical Cap and Open/Common Space Requirements]**
Sponsor: Wiener
Ordinance amending the San Francisco Planning Code by adding Section 318 to put a cap on the number of Efficiency Dwelling Units, as defined in the Building Code, that can be constructed with reduced square footage unless the units are group housing, affordable housing, or student housing; amending Section 135(d) and adding Section 135.4 to impose open space and common space requirements on Efficiency Dwelling Units with reduced square footage; and making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Ordinance amending the San Francisco Planning Code by adding new Section 318 to put a cap on the number of Efficiency Dwelling Units, as defined in the Building Code, that can be constructed with reduced square footage unless the units are group housing, affordable housing, or student housing; amending Subsection 135(d) and adding new Section 140.1 to impose open space and common space requirements on Efficiency Dwelling Units with reduced square footage; and making environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Noes: 1 - Avalos

Supervisor Olague was noted absent at 6:05 p.m. and noted present at 6:12 p.m.

121029 **[Environment Code - Suspending Yellow Pages Distribution Pilot Program]**
Sponsors: Chiu; Elsbernd
Ordinance amending the San Francisco Environment Code by adding Section 2109 to suspend the Yellow Pages Distribution Pilot Program.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Olague

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Debra Bendict; expressed various concerns.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.
Theresa Cooper; expressed concerns regarding body language and government.
Ray Hartz; expressed concerns relating to government.
Male Speaker; expressed concerns relating to the Municipal Transportation Agency and taxi medallions.
Male Speaker; expressed various religious concerns.
Male Speaker; expressed various concerns.
Male Speaker; expressed various concerns.
Peter Ward; expressed concerns regarding a restaurant on Marina Green.
Art Scampa; expressed concerns regarding a restaurant on Marina Green.
Nicole Preito; expressed concerns regarding a restaurant on Marina Green.
Fattellah Kampa; expressed concerns regarding a restaurant on Marina Green.
Female Speaker: expressed concerns regarding a restaurant on Marina Green.
Aden Junay; expressed concerns regarding Sunshine Task Force and Hepatitis C.
Charlie Mapas; expressed concerns regarding the closure of medical marijuana dispensaries.
Edmond Juicye; expressed various concerns.
Peter Warfield; expressed concerns relating to the SF Public Library.
Ana Cora; expressed various concerns.

Supervisors Cohen and Wiener were noted absent at 6:15 p.m. for the remainder of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

121088 [Committee of the Whole - December 11, 2012 - Public Hearing to Acquire Temporary Construction Licenses for Various Real Properties by Eminent Domain for Central Subway/Third Street Light Rail Extension Project]

Motion that the Board of Supervisors hold a public hearing on December 11, 2012, at 3:00 p.m., with the Board of Supervisors sitting as a Committee of the Whole, to consider acquisition of temporary construction licenses for various real properties by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension Project. (Clerk of the Board)

Motion No. M12-135

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague
Absent: 2 - Cohen, Wiener

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Chu, seconded by Supervisor Campos, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague
Absent: 2 - Cohen, Wiener

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Chu, seconded by Supervisor Campos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague
Absent: 2 - Cohen, Wiener

121149 [Sunset Recreation Center Reopening]
Sponsor: Chu
Resolution recognizing the grand reopening of the Sunset Recreation Center and commending the project team of San Francisco Recreation and Park and the Department of Public Works for their hard work and commitment to San Francisco and its residents.

Resolution No. 430-12

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague
Absent: 2 - Cohen, Wiener

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Avalos, seconded by Supervisor Campos, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague
Absent: 2 - Cohen, Wiener

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Avalos, seconded by Supervisor Campos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague
Absent: 2 - Cohen, Wiener

121150 [International Day for the Elimination of Violence Against Women and Girls - November 25, 2012]
Sponsors: Avalos; Cohen
Resolution declaring November 25, 2012, International Day for the Elimination of Violence Against Women and Girls in the City and County of San Francisco.

Resolution No. 431-12

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague
Absent: 2 - Cohen, Wiener

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Mar, seconded by Supervisor Campos, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague
Absent: 2 - Cohen, Wiener

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mar, seconded by Supervisor Campos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague
Absent: 2 - Cohen, Wiener

121151 [Declaring November 24, 2012, as Small Business Saturday in San Francisco]
Sponsor: Mar
Resolution declaring November 24, 2012, the Saturday after the Thanksgiving holiday, as Small Business Saturday and supporting efforts to increase awareness of the value of locally owned small businesses in the City and County of San Francisco.

Resolution No. 432-12

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague
Absent: 2 - Cohen, Wiener

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

121019 [Administrative Code - California Environmental Quality Act Procedures]
Sponsor: Wiener

Ordinance amending the San Francisco Administrative Code Chapter 31 to reflect revisions in the California Environmental Quality Act (CEQA) and to update and clarify certain procedures provided for in Chapter 31, including without limitation; codifying procedures for appeals of exemptions and negative declarations; providing for the Board to make the final CEQA decision on projects requiring Board legislative action, negating the need to file formal CEQA appeals; revising noticing procedures for environmental impact reports and negative declarations for plan area projects exceeding five acres; expanding noticing requirements for certain exempt projects; and clarifying existing noticing requirements for exempt projects.

10/16/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/15/2012.

10/29/12; REFERRED TO DEPARTMENT.

11/13/12; RESPONSE RECEIVED.

11/20/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

121124 [Administrative Code - Compensation For City Employees With Same-Sex Spouses Or Same-Sex Domestic Partners to Offset Federal Income Tax on Health Insurance Premiums]
Sponsors: Farrell; Campos, Chu, Wiener, Avalos and Mar

Ordinance amending the San Francisco Administrative Code by adding Sections 16.704 and 16.29-7.6 to mandate payments to City employees to offset federal income taxation on health insurance premiums for their same-sex spouses or same-sex domestic partners and to exclude such payments from the computation of compensation under the San Francisco Employees' Retirement System.
(Fiscal Impact)

11/20/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Resolutions

121042 [Urging the Development of a Workplace Employee Policy on Domestic Violence]
Sponsors: Mar; Cohen, Chiu and Avalos
Resolution urging the Department on the Status of Women to develop and share materials on domestic violence to be shared with City employees and City contractors and grantees.

10/23/12; RECEIVED AND ASSIGNED to Public Safety Committee.

10/29/12; REFERRED TO DEPARTMENT.

11/20/12; SUBSTITUTED.

121125 [Accept and Expend Grant - Sidney E. Frank Foundation Renewable Energy - $250,000]
Sponsor: Mayor
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $250,000 from the Sidney E. Frank Foundation to plan and implement specific projects to source 100% of San Francisco's electrical demand from renewable energy sources from July 15, 2012, through June 15, 2013.

11/20/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121126 [Accept and Expend Grant - Encourage Arrest Policies and Enforcement of Protection Orders Program - $650,000]
Sponsor: Mayor
Resolution authorizing the Department on the Status of Women to retroactively accept and expend an extension grant in the amount of $650,000 through the United States Department of Justice's Office of Violence Against Women, Encourage Arrest Policies and Enforcement of Protection Orders Program, for grant period April 1, 2012, through March 31, 2014.

11/20/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121127 [Wastewater Revenue Bonds Issuance - Public Utilities Commission - Not to Exceed $670,000,000]
Sponsor: Mayor
Resolution approving the issuance of wastewater revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco in aggregate principal amounts not to exceed $250,000,000 to refund outstanding wastewater revenue bonds pursuant to the Charter of the City and California Government Code, Sections 53580 et seq., and not to exceed $420,000,000 to finance capital projects benefiting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by voters on November 5, 2002, as Proposition E; affirming covenants contained in the indenture pursuant to which the wastewater revenue bonds are issued; authorizing the taking of appropriate actions in connection therewith; and related matters.
(Fiscal Impact)

11/20/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121128 [Grant Application - 2012 U.S. Department of Housing and Urban Development Continuum of Care Program]
Sponsor: Mayor
Resolution approving the 2012 Grant Application for the United States Department of Housing and Urban Development Continuum of Care Program and fulfilling the San Francisco Board of Supervisors review and approval process for all annual or otherwise recurring grants of $5,000,000 or more.

11/20/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

121129 [Approval of a 90-Day Extension for Planning Commission Review of Rezoning of 1111 Eighth Street (File No. 111278)]
Sponsor: Cohen
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 111278) that would amend the San Francisco Planning Code, Sectional Map SU08 of the Zoning Map; adding San Francisco Planning Code, Section 249.66 to establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts and provide a regulatory scheme for a potential future phased expansion of the campus; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code, Section 101.1.

11/20/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

121130 [Transfer of Airspace Parcel Agreements - 151 Third Street - Successor Agency to the San Francisco Redevelopment Agency and San Francisco Museum of Modern Art]
Sponsors: Kim; Mayor
Resolution approving and authorizing the Director of Real Estate to execute Agreement for Transfer of Airspace Parcel within Assessor's Block No. 3722, Lot No. 078, at 151 Third Street from the Successor Agency to the San Francisco Redevelopment Agency to the City and County of San Francisco; and Agreement for Transfer of Airspace Parcel from the City and County of San Francisco to the San Francisco Museum of Modern Art.

11/20/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

121131 [National Park Service - Cease Efforts to Locate Alcatraz Ferry Service at Fort Mason Piers]
Sponsors: Farrell; Chiu
Resolution urging the National Park Service to abandon plans to locate Alcatraz Ferry Service at Fort Mason Piers and to focus their efforts on working with the Port of San Francisco to continue service at the Port.

11/20/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

121132 [Accept and Expend Grant - San Francisco Parks Alliance - $870,355]
Sponsor: Chiu
Resolution authorizing the Recreation and Park Department to accept and expend a grant of $870,355 from the San Francisco Parks Alliance for the design and construction of a playground in Sue Bierman Park.

11/20/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121133 [Accept and Expend Grant - FY2012 Homeland Security Grant Program - $667,670]
Sponsor: Farrell

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a FY2012 Homeland Security Grant Program grant in the amount of $667,670 from the United States Department of Homeland Security, through the California Emergency Management Agency, for building and sustaining preparedness capabilities for the period of October 12, 2012, through May 31, 2014.

11/20/12: RECEIVED AND ASSIGNED to Budget and Finance Committee.

121134 [Permit Amendment - Outside Lands Music Festival - Eight Additional Years]
Sponsor: Mar

Resolution, pursuant to Charter Section 9.118, approving and authorizing an amendment to the Permit with Another Planet Entertainment for the production of the annual Outside Lands Music Festival to extend the term eight additional years, increase the authorized capacity of the event to 75,000, modify components of the permit fee and rent payments, and provide for funds to pay for materials and supplies to maintain the Polo Fields and to endow a gardener for work within the festival premises; affirming a categorical exemption under the California Environmental Quality Act for the amendment; and ratifying prior actions.

11/20/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

121135 [Approval of a 90-Day Extension for Planning Commission Review of Upper Market Zoning (File No. 120901)]
Sponsor: Wiener

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 120901) amending the San Francisco Planning Code, Sections 721.1 and 733.1 to modify the explanation of the boundaries of the Upper Market Street Neighborhood Commercial District and the Upper Market Street Neighborhood Commercial Transit District; amending Section 703.2(b) to permit in a limited area food processing as an accessory use to a nearby off-site non-residential use; and making environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

11/20/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

121136 [Approval of a 90-Day Extension for Planning Commission Review of Upper Market Zoning Map Amendment (File No. 120902)]
Sponsor: Wiener

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 120902) amending the San Francisco Planning Code, Sectional Map Sheets ZN07 and HT07 to change the use classification of specified lots on Assessor's Block Nos. 3561 through 3565, now in the Upper Market Neighborhood Commercial District to the Upper Market Neighborhood Commercial Transit District, and to change the height and bulk classification of Assessor's Block No. 3563, Lot No. 034 from 50-X to 65-B; and adopting findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

11/20/12: REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

121137 [Hearing - Annual Review and Approval of the Board of Supervisors/Clerk of the Board - Annual Budget Guidelines]
Hearing to consider the annual review and approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines. (Clerk of the Board)

11/20/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED ORDINANCES

120959 [Building Code - Fees and Permit Extensions]
Ordinance amending the Building Code, Sections 106A.3.7, 106A.3.8.1, 106A.4.1, and 106A.4.4, to address permit expirations and extensions and Tables 1A-A, 1A-G, 1A-J, 1A-K, and 1A-L, of Section 110A, to modify various fees; and making environmental findings. (Building Inspection Department)

09/24/12; RECEIVED FROM DEPARTMENT.

10/02/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/1/2012.

10/10/12; REFERRED TO DEPARTMENT.

10/11/12; RESPONSE RECEIVED.

11/02/12; RECEIVED FROM DEPARTMENT.

11/08/12; NOTICED.

11/20/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

121104 [Planning Code - Landmark Designation - 320-326 Judah Street (the Doelger Building)]
Sponsor: Wiener
Ordinance designating 320-326 Judah Street (the Doelger Building), Assessor's Block No. 1763, Lot Nos. 020 and 021, as a Landmark under Planning Code, Article 10; and adopting General Plan, Planning Code, Section 101.1, and environmental findings.

11/06/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/20/2012.

PROPOSED RESOLUTIONS

121084 [Freeway Agreement - California Department of Transportation - State Highway Route 101, South Van Ness Avenue to Golden Gate Avenue]
Resolution adopting a freeway agreement with the California Department of Transportation (Caltrans) for a portion of State Highway Route 101 from South Van Ness Avenue to Golden Gate Avenue; and authorizing official acts related thereto. (Public Works Department)

11/02/12; RECEIVED FROM DEPARTMENT.

11/20/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

121085 [Prevailing Wage Rates - Various Workers Performing Work Under City Contracts]
Resolution fixing prevailing wage rates for workers performing work under City contracts for public work and improvement; workers performing work under City contracts for janitorial services; workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; workers engaged in theatrical or technical services for shows on property owned by the City; workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; and workers performing moving services under City contracts at facilities owned or leased by the City. (Civil Service Commission)
(Fiscal Impact)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121086 [California Constitution Appropriations Limit for FY2012-2013]
Resolution establishing the appropriations limit for FY2012-2013 pursuant to California Constitution Article XIII B. (Controller)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121090 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 1 Stockton Street]
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 1 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 025, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

121091 **[Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 1000-1032 Stockton Street]**
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 1000-1032 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0193, Lot No. 019, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

121092 **[Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 1455 Stockton Street]**
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 1455 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0130, Lot Nos. 001 and 040, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

121093 **[Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 19 Stockton Street]**
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 19 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 005, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

121094 **[Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 212 Stockton Street]**
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 212 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0309, Lot No. 011, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

121095 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 216 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 216 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0309, Lot No. 013, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

121096 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 250-4th Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 250-4th Street, San Francisco, California, Assessor's Parcel Block No. 3733, Lot No. 008, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

121097 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 39 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 39 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 004, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

121098 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 801 Market Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel Block No. 3705, Lot No. 048A, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

121099 **[Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 930 Stockton Street]**
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 930 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0210, Lot No. 047, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

121100 **[Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 950 Stockton Street]**
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 950 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0210A, Lot Nos. 002-103, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

Request Granted

From: Supervisor Chu
To: Director, Planning Department
Requesting/Inquiring: Requesting the Planning Department to provide information about the following: The number of front yard paving complaints received by Planning Department over the last 5 years. The number of violations that have been remedied over the last 5 years. The average amount of time it takes for property owners to correct violations and whether the Planning Department conducts follow-up with property owners to ensure compliance (please indicate trends prior to the enforcement procedure change, and following the change). What are some of the major issues in ensuring compliance with front yard paving requirements?

Note: In 2011, the Planning Department implemented a change in enforcement procedures for front yard paving violations. Under previous enforcement procedures, a property owner in violation of front yard paving requirements was subject to a maximum $500 fine if the problem was not addressed after 90 days. This led to property owners opting to pay the maximum fine and not remedying the problem. The reformed procedure, which is currently in place, allows for a higher penalty amount - up to $250 per day.

The issue of non-compliant front yard paving has been a recurring issue in our district and throughout the city for many years.

Please submit response to our office by November 30, 2012.

In Memoriams

Alex Esclamado – Supervisor Avalos
Faye Hannink Bingham – Supervisor Mar
Alan Farley – Supervisors Chiu, Mar
Edward Patrick McGovern – Supervisor Elsbernd
Howard L. Wallace – Supervisors Campos, Mar, Kim, Avalos, Olague

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:25 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 15, 2013.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT
AUG 15 2013
SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, December 4, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 1:00 PM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Fewer, Maufas, Commissioners Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Elsbernd, Wiener, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:30 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Kim, Farrell, Avalos	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:11 p.m. On the call of the roll, Supervisor Kim was noted absent.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Chu, moved to approve the Board Meeting Minutes of October 16, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague, Wiener

Absent: 1 - Kim

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

120963 **[Business and Tax Regulations Code - Improvement Districts: Longer Term When Assessments Pledged to Bond, Lease, or Other Obligations; Alternative 2/3 Weighted Vote by Businesses]**
Sponsor: Mayor
Ordinance amending San Francisco Business and Tax Regulations Code, Article 15 (Business Improvement Districts Procedure Code), Sections 1510 and 1511, and by adding Section 1515, to provide for a district term of up to 40 years when assessments are pledged or applied to pay any bond, financing lease (including any certificates of participation therein), or other similar obligations of the City; authorize the Board of Supervisors to require a weighted two-thirds (2/3) vote of business owners to be assessed, based on ballots cast, as an alternative or additional procedure for establishing a business improvement district and levying assessments; and clarify existing provisions and update references to state law; and making a finding that California Constitution, Article XIIID, does not apply to the levy of business assessments authorized by Business and Tax Regulations Code, Article 15.

Ordinance No. 239-12

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

121029 **[Environment Code - Suspending Yellow Pages Distribution Pilot Program]**
Sponsors: Chiu; Elsbernd
Ordinance amending the San Francisco Environment Code by adding Section 2109 to suspend the Yellow Pages Distribution Pilot Program.

Ordinance No. 245-12

FINALLY PASSED

Recommendations of the Rules Committee

120657 **[Settlement of Lawsuit - Michael Horan - $250,000]**
Ordinance authorizing settlement of the lawsuit filed by Michael Horan against the City and County of San Francisco for $250,000; the lawsuit was originally filed on September 25, 2009, in San Francisco Superior Court, Case No. CGC-09-492910, removed to United States District Court, Northern District, Case No. CV-10-01383; entitled Michael Horan v. City and County of San Francisco, et al. (City Attorney's Office)

Ordinance No. 238-12

FINALLY PASSED

120976 **[Settlement of Lawsuit - Rehab Financial Corporation - City to Receive $164,099]**
Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Rehab Financial Corporation, Gayle Bloomingdale, and Barbara Wood for payment to the City of $164,099; the lawsuit was filed on March 30, 2010, and is pending in San Mateo County Superior Court, Case No. CIV506113; entitled City and County of San Francisco, et al., v. Rehab Financial Corporation, et al. (City Attorney's Office)

Ordinance No. 240-12

FINALLY PASSED

120994 **[Settlement of Lawsuit - Christine McGuire - $27,000]**
Ordinance authorizing settlement of the lawsuit filed by Christine McGuire against the City and County of San Francisco for $27,000; the lawsuit was filed on January 6, 2011, in San Francisco Superior Court, Case No. CGC-11-507062; entitled McGuire v. City and County of San Francisco, et al. (City Attorney's Office)

Ordinance No. 241-12

FINALLY PASSED

121014 **[Settlement of Lawsuit - Leslie Jones - $197,500]**
Ordinance authorizing settlement of the lawsuit filed by Leslie Jones against the City and County of San Francisco for $197,500; the lawsuit was filed on August 5, 2010, in San Francisco Superior Court, Case No. CGC-10-502290; entitled Leslie Jones, et al. v. City and County of San Francisco, et al. (City Attorney's Office)

Ordinance No. 243-12

FINALLY PASSED

121015 **[Settlement of Lawsuit - Acquila Yeargin - $27,500]**
Ordinance authorizing settlement of the lawsuit filed by Acquila Yeargin against the City and County of San Francisco for $27,500; the lawsuit was filed on July 7, 2010, in San Francisco Superior Court, Case No. CGC-10-501334; entitled Acquila Yeargin v. Brandon Thompson, et al. (City Attorney's Office)

Ordinance No. 244-12

FINALLY PASSED

121036 **[Settlement of Lawsuit - Gilles Combrisson et al. - Not to Exceed $320,000]**
Ordinance authorizing settlement of the class action lawsuit filed by Gilles Combrisson, William Phillips, Patrick Hagemeister, and Ranell Hansen against the City and County of San Francisco for an amount not to exceed $320,000; the lawsuit was filed on June 12, 2009, in San Francisco Superior Court, Case No. CGC-09-489400; entitled Gilles Combrisson, et al. v. City and County of San Francisco, et al. (City Attorney's Office)

Ordinance No. 246-12

FINALLY PASSED

121106 [Settlement of Lawsuit - Pacific Rod and Gun Club]
Sponsor: Elsbernd

Ordinance authorizing settlement of the unlawful detainer lawsuit entitled City and County of San Francisco, et al., v. Pacific Rod and Gun Club, et al., filed on September 24, 2012, in San Francisco Superior Court, Case No. CUD-12-642832, regarding City-owned property located at 520 John Muir Drive in San Francisco; material terms of the settlement agreement include City and Club executing an amended and restated month-to-month lease with improved insurance, indemnity and other provisions in favor of the City, a new 90-day termination notice requirement, and a stipulation for entry of judgment without trial to facilitate City obtaining a writ of possession following such notice period.

PASSED, ON FIRST READING

121058 [Appointments, Veterans Affairs Commission - M. Lee Burnette, John Gallagher, and Michael Maffei]

Motion appointing M. Lee Burnette, John Gallagher, and Michael Maffei, terms ending January 31, 2016, to the Veterans Affairs Commission. (Clerk of the Board)

Motion No. M12-136

APPROVED

121101 [Appointment, Bicycle Advisory Committee - Timothy Doherty]

Motion appointing Timothy Doherty, term ending November 19, 2014, to the Bicycle Advisory Committee. (Clerk of the Board)

Motion No. M12-137

APPROVED

121103 [Appointments, Shelter Monitoring Committee - Julia D'Antonia, Jennie Parrilla, Nicholas Kimura, Andrew Mendes, and Isaac Langford]

Motion appointing Julia D'Antonia, Jennie Parrilla, Nicholas Kimura, Andrew Mendes, and Isaac Langford, terms ending November 23, 2014, to the Shelter Monitoring Committee. (Clerk of the Board)

Motion No. M12-138

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague, Wiener
Absent: 1 - Kim

Supervisor Kim was noted present at 2:14 p.m.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

120997 **[Appropriating $1,412,000 for San Francisco Unified School District - FY2012-2013]**
Sponsors: Kim; Campos, Mar, Avalos and Olague

Ordinance appropriating $2,705,000 of State Reserves for the San Francisco Unified School District for FY2012-2013.
(Fiscal Impact)
(Supervisor Chu dissented in Committee.)

Privilege of the floor was granted to Ben Rosenfield, Controller, Kate Howard, Mayor's Budget and Policy Office Director, and Jason Elliott, Legislative Affairs Director, who responded to questions raised throughout the discussion.

Supervisor Kim, seconded by Supervisor Mar, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Ordinance appropriating $843,000 of State Reserves and $1,412,000 from School District Set-Aside funds for the San Francisco Unified School District for FY2012-2013.
(Fiscal Impact)

Supervisor Chu moved to divide the question relating to appropriating funds totaling $2,255,000 rather than $2,705,000 for the district. The question PASSED as divided by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chu moved to divide the question relating to appropriating State revenue funds of $843,000 rather than $1,293,000 for the district. The question PASSED as divided by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Wiener moved to duplicate the file to separate the State revenue from the School District set-aside funds. Supervisor Wiener withdrew this motion.

Supervisor Wiener moved to divide the question relating to separating out appropriation of State revenue funds of $843,000. The question PASSED as divided by the following vote:
Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague
Noes: 4 - Chu, Elsbernd, Farrell, Wiener

PASSED ON FIRST READING AS AMENDED AND DIVIDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the City Operations and Neighborhood Services Committee

120984 [Police Code - Prohibiting Public Nudity]
Sponsor: Wiener
Ordinance amending the San Francisco Police Code by adding Section 154 to prohibit nudity on public streets, sidewalks, street medians, parklets, plazas, and public rights-of-way, and on public transit vehicles, stations, platforms, and stops, except as part of permitted parades, fairs, and festivals.

FINALLY PASSED by the following vote:
Ayes: 7 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener
Noes: 4 - Avalos, Campos, Mar, Olague

Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Ordinance No. 234-12

FINALLY PASSED by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener
Noes: 5 - Avalos, Campos, Kim, Mar, Olague

Recommendations of the Land Use and Economic Development Committee

120191 [Building Code - Definition of Efficiency Unit]
Sponsor: Wiener
Ordinance amending the San Francisco Building Code Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units in new structures or buildings pursuant to Section 17958.1 of the California Health and Safety Code; and making environmental findings.

Ordinance No. 235-12

FINALLY PASSED by the following vote:

Ayes: 9 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Noes: 2 - Avalos, Olague

120352 [Administrative Code - Housing Preservation and Production]
Sponsors: Olague; Kim, Campos and Mar
Ordinance amending the San Francisco Administrative Code by amending the title of Chapter 10E and adding Section 10E.4 to monitor San Francisco's housing preservation and production policies and goals, and making environmental findings.
(Supervisor Wiener dissented in Committee.)

Ordinance No. 237-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120523 **[Planning Code - Transit Impact Development Fee Increase and Updates]**
Sponsors: Mayor; Wiener and Olague
Ordinance amending the San Francisco Planning Code, Article 4, by revising and making technical corrections to specified definitions in Section 401 relating to the Transit Impact Development Fee (TIDF), amending Sections 402, 408, 411 through 411.5, 411.7, 411.8, and adding a new Section 411.9 to increase TIDF rates, revise exemptions and credits, and clarify TIDF implementation and collection, and making environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

Privilege of the floor was granted to Joel Ramos (MTA) who responded to questions raised throughout the discussion.

Supervisor Wiener, seconded by Supervisor Chu, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Elsbernd, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague
Noes: 2 - Chu, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120996 **[Planning Code - Efficiency Dwelling Units - Numerical Cap and Open/Common Space Requirements]**
Sponsor: Wiener
Ordinance amending the San Francisco Planning Code by adding new Section 318 to put a cap on the number of Efficiency Dwelling Units, as defined in the Building Code, that can be constructed with reduced square footage unless the units are group housing, affordable housing, or student housing; amending Subsection 135(d) and adding new Section 140.1 to impose open space and common space requirements on Efficiency Dwelling Units with reduced square footage; and making environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

FINALLY PASSED by the following vote:
Ayes: 9 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Noes: 2 - Avalos, Olague

Supervisor Avalos, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Ordinance No. 242-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Rules Committee

120221 **[Administrative Code - Extension of Public Utilities Revenue Bond Oversight Committee]**
Sponsor: Farrell
Ordinance amending the San Francisco Administrative Code, Section 5A.36 to extend the sunset date of the Public Utilities Revenue Bond Oversight Committee to January 1, 2016.

Ordinance No. 236-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Supervisor Cohen was noted absent at 3:59 p.m.

Recommendations of the Budget and Finance Committee

121034 **[Real Property Lease - 1380 Howard Street - Community Behavioral Health Services - Department of Public Health - $118,259.38-$131,584.38 Monthly]**
Resolution authorizing the extension of a lease of 79,950 sq. ft. of office space at 1380 Howard Street for use by the Department of Public Health's Community Behavioral Health Services Division for a term of an additional five years from January 1, 2013, through December 31, 2017, at a monthly rate of $118,259.38 for the first six months of the extended term and then $131,584.38 per month for the remainder of the extended term. (Real Estate Department)
(Fiscal Impact)

Resolution No. 437-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

121035 **[Real Property Lease - 760 Harrison Street - Cort Family Living Trust - Department of Public Health - $25,350 Monthly]**
Resolution retroactively authorizing the extension of a lease of real property at 760 Harrison Street for the Department of Public Health with the Cort Family Living Trust for a term of an additional five years from July 1, 2012, to June 30, 2017, at a monthly rate of $25,350. (Real Estate Department)

Resolution No. 438-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

121037 **[Airport Lease Agreements - Cellular Service Equipment Sites - $350,000 Plus Annual Increases]**

Resolution approving the Cellular Service Equipment Sites Leases between New Cingular Wireless PCS, LLC., Nextel of California, Inc., and Sprint Spectrum Realty Company, L.P., GTE Mobilnet of California Limited Partnership, dba Verizon Wireless, and T-Mobile West Corporation and the City and County of San Francisco, acting by and through its Airport Commission retroactive to July 1, 2009, with a term of five years, and approving Amendment No. 1 to the Cellular Service Equipment Leases with New Cingular Wireless PCS, LLC., Nextel of California, Inc., and Sprint Spectrum Realty Company, L.P., and GTE Mobilnet of California Limited Partnership, dba Verizon Wireless, with a base annual rent of $350,000 to be increased annually by $25,000. (Airport Commission)

Resolution No. 439-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

121045 **[Term Sheet - Orton Development, Inc. - Rehabilitation of the 20th Street Historic Buildings and Finding of Fiscal Feasibility]**

Sponsors: Mayor; Cohen

Resolution finding the proposed rehabilitation of the 20th Street Historic Buildings on or near 20th Street, east of Illinois Street, fiscally feasible pursuant to Administrative Code, Chapter 29, and endorsing the Term Sheet between Orton Development, Inc., and the San Francisco Port Commission.

Resolution No. 440-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

121062 **[Agreement Amendment - MedImpact Healthcare Systems, Inc. - Third Party Pharmacy Administration Services at Community Pharmacies - $17,575,376]**

Resolution approving the third amendment to the agreement between the Department of Public Health and MedImpact Healthcare Systems, Inc., for third party pharmacy administration services at community pharmacies to increase the total contract amount from $9,900,000 for the term of July 1, 2008, through June 30, 2014, by $7,675,376 for a total contract amount of $17,575,376 for six years. (Public Health Department)

Resolution No. 441-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

121070 [Contract Amendment - New Flyer of America, Inc. - Purchase Low Floor Diesel-Hybrid Buses - Not to Exceed $48,669,369]

Sponsor: Wiener

Resolution approving Amendment No. 1 to Contract No. SFMTA-2013-08 with New Flyer of America, Inc., to purchase 17 additional 40-foot low floor diesel-hybrid buses through the Cooperative Purchasing Venture established by the State of Minnesota's Materials Management Division, for an additional amount of $11,780,005 and a total contract amount of $48,669,369

Resolution No. 442-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

121111 [Accept and Expend Grant - San Francisco Parks Alliance - Not to Exceed $280,000]

Sponsor: Wiener

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant not to exceed $280,000 from the San Francisco Parks Alliance towards seven community projects funded with Community Opportunity Fund dollars for the period of May 1, 2012, through January 1, 2013.

Resolution No. 443-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

Recommendations of the City Operations and Neighborhood Services Committee

120962 [Liquor License - 748 Innes Avenue]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Mikhail Brodsky for Pectopah, LLC, located at 748 Innes Avenue (District 10), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

Resolution No. 434-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

121002 **[Liquor License Transfer - 550 Montgomery Street]**
Resolution determining that the transfer of a Type 57 special on-sale general license from 2100 Market Street to 550 Montgomery Street (District 3), to Amiel Arad for Wingtip, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4.

Resolution No. 435-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

121010 **[Liquor License Transfer - 450 Post Street]**
Resolution determining that the transfer of a Type 64 special on-sale general theater license from 533 Sutter Street to 450 Post Street (District 3), to Susi Damilano for the SF Playhouse, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

Resolution No. 436-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

Recommendations of the Government Audit and Oversight Committee

120844 **[Board Response - Civil Grand Jury Report - Investment Policies and Practices of the San Francisco Employees' Retirement System]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2011-2012 Civil Grand Jury report entitled "Investment Policies and Practices of the San Francisco Employees' Retirement System" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

Resolution No. 447-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

120987 **[Lease - Woodhouse Marina Green, LLC - Marina Degaussing Station Restaurant]**
Sponsor: Farrell
Resolution authorizing the Recreation and Park Department General Manager to enter into a lease with Woodhouse Marina Green, LLC, for the operation of a restaurant at the Marina Degaussing Station at the Marina Green with a term of ten years.
(Fiscal Impact)

Supervisor Farrell, seconded by Supervisor Campos, moved that this Resolution be RE-REFERRED to the Government Audit and Oversight Committee. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

Recommendation of the Land Use and Economic Development Committee

120982 [Jack Early Commemorative Plaque - Stockton Street Adjacent to Washington Square]
Sponsor: Chiu
Ordinance commemorating the Stockton Street sidewalk adjacent to Washington Square Park under Public Works Code Sections 789 et seq., the Commemorative Street Plaque Ordinance, accepting a plaque in honor of Jack Early as a gift to the City, waiving permit and inspection fees for plaque installation, and directing official acts in furtherance of this Ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

Recommendation of the Public Safety Committee

121031 [Metropolitan Transportation Commission - Strengthen Provisions of Personal Information of the Clipper Card Program]
Sponsors: Avalos; Chiu, Olague and Mar
Resolution urging the Metropolitan Transportation Commission to strengthen the privacy provisions of personal information of the Clipper Card Program.

Resolution No. 448-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

Recommendations of the Rules Committee

121057 [Board of Supervisors' Rules of Order Amendment]
Sponsor: Elsbernd
Motion amending the Board of Supervisors' Rules of Order, in their entirety, to correct clerical corrections, proper placement of sections, and additional updates.

Motion No. M12-139

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

121087 **[Appointment, Board of Appeals - Darryl Honda]**
Sponsor: Mayor
Motion approving the Mayor's appointment of Darryl Honda to the Board of Appeals for the term ending July 1, 2016.

Motion No. M12-140

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Elsbernd, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Mar will present Certificates of Honors to the Clement Street Merchants Association on the occasion of their 90th anniversary.

Supervisor Elsbernd introduced, welcomed, and presented a Certificate of Honor to Joe Moore in honor of his act of heroism with a recent fire in District 7. Fire Chief Joanne Hayes-White shared in this commendation.

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to the Guardian Angela in recognition of their accomplishments and continued community support. Supervisor Olague shared in this commendation.

COMMITTEE REPORT

121066 **[Administrative Code - Hearings on Tenant Allegations of Landlord Harassment to Recover Possession of the Tenant's Unit]**
Sponsor: Olague
Ordinance amending San Francisco Administrative Code, Chapter 37 (Residential Rent Stabilization and Arbitration Ordinance), Section 37.9, to add new Subsection 37.9(l), providing for hearings at the Rent Board on tenant allegations of landlord harassment constituting a wrongful endeavor to recover possession of the tenant's unit.

This item was not sent as a Committee Report.

Supervisor Cohen was noted present at 4:07 p.m.

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to government.
Peter Warfield; expressed concerns relating to the SF Public Library.
Male Speaker; expressed various concerns.
Walter Paulson; shared in song certain concerns with the Board.
Eugene Gordon, Jr.; expressed various concerns.
Male Speaker; expressed various religious concerns.
Kati; expressed concerns relating to rebroadcast on KPOO.
John DiDonna; shared in poem certain concerns with the Board.
Michael Douglas; expressed concerns relating to education.
Colleen Fernald; expressed concerns relating to political abuse of power.
Male Speaker; expressed various concerns.
Douglas Yepp; expressed various concerns.
Female Speaker; spoke regarding domestic violence.
Amberly Cross; spoke regarding domestic violence.
Mary BeKeever; spoke regarding domestic violence.
Male Speaker; expressed concerns relating to SFMTA Board.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

121129 [Approval of a 90-Day Extension for Planning Commission Review of Rezoning of 1111 Eighth Street (File No. 111278)]

Sponsor: Cohen

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 111278) that would amend the San Francisco Planning Code, Sectional Map SU08 of the Zoning Map; adding San Francisco Planning Code, Section 249.66 to establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts and provide a regulatory scheme for a potential future phased expansion of the campus; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code, Section 101.1.

Resolution No. 444-12

ADOPTED

121131 **[National Park Service - Cease Efforts to Locate Alcatraz Ferry Service at Fort Mason Piers]**

Sponsors: Farrell; Chiu

Resolution urging the National Park Service to abandon plans to locate Alcatraz Ferry Service at Fort Mason Piers and to focus their efforts on working with the Port of San Francisco to continue service at the Port.

Resolution No. 449-12

ADOPTED

121135 **[Approval of a 90-Day Extension for Planning Commission Review of Upper Market Zoning (File No. 120901)]**

Sponsor: Wiener

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 120901) amending the San Francisco Planning Code, Sections 721.1 and 733.1 to modify the explanation of the boundaries of the Upper Market Street Neighborhood Commercial District and the Upper Market Street Neighborhood Commercial Transit District; amending Section 703.2(b) to permit in a limited area food processing as an accessory use to a nearby off-site non-residential use; and making environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

Resolution No. 445-12

ADOPTED

121136 **[Approval of a 90-Day Extension for Planning Commission Review of Upper Market Zoning Map Amendment (File No. 120902)]**

Sponsor: Wiener

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 120902) amending the San Francisco Planning Code, Sectional Map Sheets ZN07 and HT07 to change the use classification of specified lots on Assessor's Block Nos. 3561 through 3565, now in the Upper Market Neighborhood Commercial District to the Upper Market Neighborhood Commercial Transit District, and to change the height and bulk classification of Assessor's Block No. 3563, Lot No. 034 from 50-X to 65-B; and adopting findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

Resolution No. 446-12

ADOPTED

121153 **[Declaration of Election Results of the November 6, 2012, Consolidated General Election]**

Sponsor: Chiu

Resolution declaring the results of the November 6, 2012, Consolidated General Election.

Resolution No. 433-12

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

121162 [Planning Code - Inclusionary Affordable Housing Program, Updates, and Clarifications]
Sponsor: Mayor
Ordinance amending the San Francisco Planning Code, Section 401, and provisions of the Inclusionary Affordable Housing Ordinance, Sections 415 et seq., to update and clarify provisions of the Inclusionary Affordable Housing Program by providing a cap on rent increases; clarifying the timing of off-site developments; requiring rental units that convert to ownership to sell at less than the price for ownership units under certain circumstance; establishing pricing for affordable Single Room Occupancy units; changing the status of projects using California Debt Limit Allocation Committee tax exempt bonds so that such projects are subject to the Program, but that units may qualify as on or off-site units under certain circumstances; allowing income levels of qualifying households to exceed those specified in certain situations; authorizing the Mayor's Office of Housing to charge a monitoring fee to verify occupancy of affordable units; making technical clarifications and corrections; and making environmental findings and findings of consistency with the General Plan.
(Economic Impact)

12/04/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/3/2013

121163 [Accept and Expend Grant - TechSF-Workforce Innovation Partnership and Amendment to the Annual Salary Ordinance - $3,000,000]
Sponsor: Mayor
Ordinance authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $3,000,000 from the Department of Labor for the TechSF-Workforce Innovation Partnership, and amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to reflect addition of one (1) Class 9775 Senior Community Development Specialist II grant-funded position (0.77 FTE) in the Office of Economic and Workforce Development and one (1) Class 1053 IS Business Analyst - Senior grant-funded position (0.77 FTE) in the Department of Technology.

12/04/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/3/2013.

121164 **[Accept and Expend Grant - Office of Financial Empowerment Kindergarten to College Outreach Position and Amendment to the Annual Salary Ordinance - Up to $80,000]**
Sponsor: Mayor
Ordinance authorizing the Office of the Treasurer-Tax Collector to accept and expend a grant in the amount of up to $80,000 from the Earned Assets Resource Network for implementing the Office of Financial Empowerment Kindergarten to College program, and amending Ordinance 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to provide for the creation of one (1) grant-funded position in the Office of Financial Empowerment.
12/04/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/3/2013.

121165 **[Public Employment - Amendment to the Annual Salary Ordinance for Department on the Status of Women and the District Attorney's Office - FY2012-2013]**
Sponsors: Chiu; Cohen, Kim, Mar, Farrell, Avalos, Wiener and Campos
Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance FY2012-2013) to reflect the addition of 1 position (0.5 FTE) in the Department on the Status of Women and 11 positions (3.63 FTEs) in the District Attorney's Office.
(Fiscal Impact)
12/04/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/3/2013.

121166 **[Appropriating $631,893 for the San Francisco Department on the Status of Women and the District Attorney's Office]**
Sponsors: Chiu; Cohen, Kim, Mar, Farrell, Avalos, Wiener and Campos
Ordinance appropriating $304,412 to the San Francisco Department on the Status of Women and $445,588 to the District Attorney's Office for FY2012-2013.
12/04/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/3/2013.

Resolutions

121167 **[Accept and Expend Grant - Code for America Labs, Inc. - $105,000]**
Sponsor: Mayor
Resolution authorizing the San Francisco Department of Human Services to retroactively accept and expend a grant in the amount of $105,000 from Code for America Labs, Inc., toward the cost of participating in the 2013 Code for America (CfA) Fellowship Program, which has specially selected the Department of Human Services to receive technology design services from CfA to increase access to public benefits by the City's lowest income residents.
(Fiscal Impact)
12/04/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121168 [Street Encroachment - 54 Peralta Avenue]
Sponsor: Chiu
Resolution granting revocable permission to Aquilina Family 2001 Revocable Trust to occupy a portion of the public right-of-way to remove and reconstruct a portion of a City owned and maintained retaining wall to construct a concrete driveway ramp, with accessible transition slopes to conform to the existing sidewalk grade, that will provide vehicular access to a proposed new residence with a garage at 54 Peralta Avenue (Assessor's Block No. 5512, Lot No. 029), conditioned upon the payment of an annual assessment fee of $215; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

12/04/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

121169 [Contract Amendment - Aon Insurance Services West, Inc. - Central Subway Project - Not to Exceed $8,280,000]
Sponsor: Chiu
Resolution approving Amendment No. 2 to Contract No. CS-163-1, Insurance Brokerage Services for an Owner Controlled Insurance Program, to provide Excess Liability Insurance for the Central Subway Project with Aon Risk Insurance Services West, Inc., to obtain and bind a second tier of liability insurance for the amount not to exceed $8,280,000.
(Fiscal Impact)

12/04/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121170 [Real Property Lease Amendment - Autodesk, Inc. - Pier 9]
Sponsors: Chiu; Kim
Resolution approving Port Commission's Second Amendment to Lease No. L-15169 with Autodesk, Inc., a Delaware corporation for the lease of office space and unimproved shed space at Pier 9 in the Northern Waterfront with a 120 month term.

12/04/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121171 [Apply for Grants - Anti Drug Abuse Program Allocation Funds]
Sponsor: Mayor
Resolution authorizing the Department of Children Youth and Their Families to apply for grants from the Board of State and Community Corrections.

12/04/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

121172 [Commemoration of Roe V. Wade Anniversary]
Sponsors: Campos; Cohen and Mar
Resolution commemorating the 40th anniversary of Roe v. Wade and commending the work of pro-choice advocates and service providers in the City and County of San Francisco.

12/04/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

121173 [Commending Supervisor Sean R. Elsbernd]
Sponsors: Chiu; Avalos, Campos, Chu, Cohen, Farrell, Kim, Mar, Olague and Wiener
Resolution commending and honoring Supervisor Sean R. Elsbernd for his distinguished service as a Supervisor of the City and County of San Francisco.

12/04/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

121174 [Urging the United States Congress to Fund the Special Diabetes Program - 2014-2016]

Sponsors: Cohen; Chiu and Mar

Resolution urging the United States Congress to renew and fully fund the Special Diabetes Program for 2014 to 2016.

12/04/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

121175 [Multifamily Housing Revenue Bonds - 5800 Third Street]

Sponsor: Cohen

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $26,000,000 for the property currently known as 5800 Third Street, San Francisco, California 94124; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $26,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

12/04/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

121176 [Multifamily Housing Revenue Bonds - 1100 Ocean Avenue]

Sponsor: Elsbernd

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $20,000,000 for 1100 Ocean Avenue, (Assessor's Parcel No. 3180- (portion of) Lot No. 1, San Francisco, California 94112); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage bonds by the City in an aggregate principal amount not to exceed $20,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

12/04/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

121177 [Approval of a 30-Day Extension for Planning Commission Review of Establishing the Fillmore Street Neighborhood Commercial District (File No. 120814)]
Sponsor: Olague
Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 120814) amending the San Francisco Planning Code by adding Section 744.1 to establish the Fillmore Street Neighborhood Commercial District along Fillmore Street between Bush and Fulton Streets, amending Section 151.1, a portion of Table 151.1, Section 263.20, and Section 607.1(f) to make conforming and other technical changes, amending Sheets ZN02 and ZN07 of the Zoning Map to rezone specified properties to the Fillmore Street Neighborhood Commercial District, and adopting environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

12/04/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

121181 [Commending Supervisor Christina Olague]
Sponsors: Chiu; Avalos, Campos, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Resolution commending and honoring Supervisor Christina Olague for her commitment to public service as a Supervisor of the City and County of San Francisco.

12/04/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

121182 [Request for Proposals - Budget and Legislative Analysts Services]
Motion directing the Clerk of the Board to initiate a Request for Proposals process for Budget and Legislative Analyst services. (Clerk of the Board)

12/04/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

121178 [Hearing - San Francisco's Participation in the Electrification of Caltrain and High Speed Rail]
Sponsors: Cohen; Wiener
Hearing request for an additional presentation from the Planning Department, Mayor's Office, and Municipal Transportation Agency on San Francisco's participation in the long-awaited electrification of Caltrain and the future High Speed Rail.

12/04/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

121179 [Hearing - Citizen's General Obligation Bond Oversight Committee's Annual Report - FY2011-2012]
Sponsor: Farrell
Hearing to review the Citizen's General Obligation Bond Oversight Committee's Annual Report for FY2011-2012.

12/04/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

121180 **[Hearing - Increase in Robberies: Status and Prevention Strategies]**
Sponsors: Wiener; Campos
Hearing calling on City agencies, including the Police Department and District Attorney's Office, to report about the increase in robberies on City streets and on public transit, and about what steps are being taken to prevent these crimes and will address how the theft of mobile devices, like smart phones and tablets, relates to the proliferation of these robberies.

12/04/12; RECEIVED AND ASSIGNED to Public Safety Committee.

Report

121154 **[Seniority Lottery]**
Lottery to determine the seniority of the newly elected Members of the Board of Supervisors scheduled for the regularly scheduled Board Meeting of Tuesday, December 11, 2012, at 3:00 p.m., pursuant to Board Rule 6.21.

Introduced by the President at the Request of a Department

PROPOSED RESOLUTIONS

121138 **[Lease Termination Agreement - Downtown Parking Corporation - 833 Mission Street]**
Resolution authorizing the termination of the lease agreement with the Downtown Parking Corporation and authorizing the Director of Transportation to execute a Lease Termination Agreement for property located at 833 Mission Street that will expire on December 31, 2012. (Municipal Transportation Agency)

11/19/12; RECEIVED FROM DEPARTMENT.

12/04/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121139 **[Lease and Use Agreement - China Airlines, Limited]**
Resolution approving and authorizing the execution of Modification No. 1 of Lease and Use Agreement L10-0082 with China Airlines, Limited, effective January 1, 2013, for administrative office space in the International Terminal at the San Francisco International Airport. (Airport Commission)

11/21/12; RECEIVED FROM DEPARTMENT.

12/04/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Request Granted

From: Supervisor Mar
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Requesting the Municipal Transportation Agency to report on the feasibility of:
1) Installing timed pedestrian crossing lights at 17th Avenue and Geary Blvd.
2) Additional pedestrian safety improvements at 22nd Avenue and Geary Blvd.

In Memoriams

Percy Hayter – Supervisor Cohen
Mike Nevin – Full Board
Kay G. Gulbengay – Full Board
Theresa Burke – Supervisors Chiu and Elsbernd
Philip Welsh – Supervisor Chiu

ADJOURNMENT

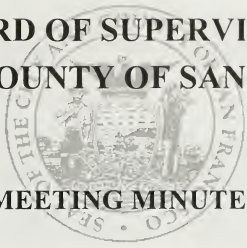
There being no further business, the Board adjourned at the hour of 5:04 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 15, 2013.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO



MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

AUG 15 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, December 11, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 1:00 PM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Fewer, Maufas, Commissioners Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Elsbernd, Wiener, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:30 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Kim, Farrell, Avalos	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, Supervisor Kim was noted absent. There was a quorum.

Supervisor Kim was noted present at 2:09 p.m.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Cohen, moved to approve the Board Meeting Minutes of October 23, 2012, October 30, 2012, and November 6, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

121147 [Formal Policy Discussions - December 11, 2012]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing Districts 3 and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mr. Mayor, in your March appearance before the Board, I asked you about Proposition I, passed by voters in November 2007 to create an Office of Small Business that supports small businesses in complying with the laws administered by 14 City departments. Prop I specifically stated that within four months of the Office's opening, the Office "shall issue a report that analyzes the existing laws, regulations, roles, procedures and responsibilities of all City departments that impact small businesses and make recommendations regarding the streamlining and consolidation of such departmental functions under the Office of Small Business."

You committed that this report would be completed by June of this year. As of today, no report has been published and no overall recommendations have been made to streamline and consolidate the functions of the 14 different City departments from which 80,000 small businesses seek approvals to do business.

Mr. Mayor, I look forward to continuing to work with your administration on a wide variety of efforts to assist small businesses. Will you re-commit to carrying out this mandate of Prop I, and when will this report be forthcoming? (Supervisor Chiu, District 3)

2. I recently asked the public to suggest questions to ask you, and I received a number of responses through Facebook and Twitter. Several of them were concerned about diversity in our local economy, such as the following from local comedian, Nato Green:

"What does the Mayor propose to promote a diversified economy in San Francisco, so the City is not simply high paid high finance or tech jobs and their low wage servants? Also will the Mayor crash the real estate market to make San Francisco affordable again?"

To elaborate on this, the 2010 census showed the largest population growths in the City were in very low income households and upper income households. In this year's "San Francisco Economic Strategy Update: Phase 1 Findings," the City's Chief Economist wrote that "the industries that create a more balanced distribution of job opportunities are, generally, in the local-serving sector of the economy, which has largely declined in recent years."

What is your plan to create living wage jobs in local-serving industries to prevent the City's middle and working classes from being displaced by people moving to the City for new upper income jobs in the creative (including high tech), financial, and professional service industries?

(And unlike Mr. Green's facetious remarks, I would prefer options that do not include crashing the real estate market.) (Supervisor Avalos, District 11)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment, this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendation of the Land Use and Economic Development Committee

121130 [Transfer of Airspace Parcel Agreements - 151 Third Street - Successor Agency to the San Francisco Redevelopment Agency and San Francisco Museum of Modern Art]

Sponsors: Kim; Mayor

Resolution approving and authorizing the Director of Real Estate to execute Agreement for Transfer of Airspace Parcel within Assessor's Block No. 3722, Lot No. 078, at 151 Third Street from the Successor Agency to the San Francisco Redevelopment Agency to the City and County of San Francisco; and Agreement for Transfer of Airspace Parcel from the City and County of San Francisco to the San Francisco Museum of Modern Art.

Resolution No. 453-12

ADOPTED

Recommendation of the Rules Committee

121106 [Settlement of Lawsuit - Pacific Rod and Gun Club]

Sponsor: Elsbernd

Ordinance authorizing settlement of the unlawful detainer lawsuit entitled City and County of San Francisco, et al., v. Pacific Rod and Gun Club, et al., filed on September 24, 2012, in San Francisco Superior Court, Case No. CUD-12-642832, regarding City-owned property located at 520 John Muir Drive in San Francisco; material terms of the settlement agreement include City and Club executing an amended and restated month-to-month lease with improved insurance, indemnity and other provisions in favor of the City, a new 90-day termination notice requirement, and a stipulation for entry of judgment without trial to facilitate City obtaining a writ of possession following such notice period.

Ordinance No. 249-12

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

120550 **[Affirming Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]**
Sponsors: Campos; Farrell and Chiu
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to January 29, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120551 **[Reversing Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]**
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to January 29, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120552 **[Preparation of Findings to Reverse Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]**
Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to January 29, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Budget and Finance Committee

120997 **[Appropriating $1,412,000 for San Francisco Unified School District - FY2012-2013]**
Sponsors: Kim; Campos, Mar and Avalos
Ordinance appropriating $843,000 of State Reserves and $1,412,000 from School District Set-Aside funds for the San Francisco Unified School District for FY2012-2013. (Fiscal Impact)

Supervisor Kim, seconded by Supervisor Avalos, moved that this Ordinance be CONTINUED ON FINAL PASSAGE to January 15, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee

120523 **[Planning Code - Transit Impact Development Fee Increase and Updates]**
Sponsors: Mayor; Wiener and Olague
Ordinance amending the San Francisco Planning Code, Article 4, by revising and making technical corrections to specified definitions in Section 401 relating to the Transit Impact Development Fee (TIDF), amending Sections 402, 408, 411 through 411.5, 411.7, 411.8, and adding a new Section 411.9 to increase TIDF rates, revise exemptions and credits, and clarify TIDF implementation and collection, and making environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

Ordinance No. 247-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120982 **[Jack Early Commemorative Plaque - Stockton Street Adjacent to Washington Square]**
Sponsor: Chiu
Ordinance commemorating the Stockton Street sidewalk adjacent to Washington Square Park under Public Works Code Sections 789 et seq., the Commemorative Street Plaque Ordinance, accepting a plaque in honor of Jack Early as a gift to the City, waiving permit and inspection fees for plaque installation, and directing official acts in furtherance of this Ordinance.

Ordinance No. 248-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

121007 [Electric System and Solar Project Agreement - North Star Solar, LLC]
Ordinance authorizing, pursuant to Charter Section 9.118(a), a System Impact Mitigation Agreement with North Star Solar, LLC, requiring North Star Solar, LLC, to pay the Public Utilities Commission the costs necessary to mitigate the impacts to the City's electric system caused by the interconnection of North Star Solar, LLC's solar project to the electric grid; authorizing similar mitigation agreements with other projects in the future; appropriating funds from these agreements to pay the costs of mitigation work; and placing various mitigation funds on reserve with the Board of Supervisors. (City Attorney's Office)
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121064 [Business and Tax Regulations, Police Codes - Parking Stations - Revenue Control Equipment; License Regulations; Parking Tax Bonds; Administrative Citation Process]
Sponsor: Campos
Ordinance amending the San Francisco Business and Tax Regulations Code by amending Article 6 (Common Administrative Provisions) to revise the bonding requirements for parking operators; revise the time to bring an action to collect tax; clarify the extent of a surety's liability; revise the administrative citation appeal process; and make other minor technical changes; amending Article 22 (Parking Stations; Revenue Control Equipment) to clarify that non-City governmental entities operating parking stations are exempt from the revenue control equipment requirements; and amending the San Francisco Police Code Article 17 (Miscellaneous License Regulations) to clarify that governmental entities operating parking garages or parking lots are exempt from the permitting requirements applicable to other commercial parking garage and valet operations.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121012 [Adopting CEQA Findings - Geary Road Bridge Project]
Resolution adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program, related to the funding of Project No. CUW26403, the Geary Road Bridge Project, in Alameda County and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

Resolution No. 454-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121086 **[California Constitution Appropriations Limit for FY2012-2013]**
Resolution establishing the appropriations limit for FY2012-2013 pursuant to California Constitution Article XIII B. (Controller)
(Fiscal Impact)

Resolution No. 455-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121109 **[Expenditures from South of Market Community Stabilization Fund - $760,000]**
Sponsor: Kim
Resolution authorizing the 2012 South of Market (SoMa) Community Stabilization Fund Program and authorizing the Mayor's Office of Housing to expend SoMa Community Stabilization Fund dollars in the amount of $760,000.

Resolution No. 456-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121110 **[Issuance of Tax Exempt Obligation - San Francisco Friends School - Not to Exceed $32,000,000]**
Sponsor: Wiener
Resolution approving the issuance of a tax exempt obligation by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $32,000,000 to finance and refinance various capital facilities owned by San Francisco Friends School.

Resolution No. 452-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121125 **[Accept and Expend Grant - Sidney E. Frank Foundation Renewable Energy - $250,000]**
Sponsor: Mayor
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $250,000 from the Sidney E. Frank Foundation to plan and implement specific projects to source 100% of San Francisco's electrical demand from renewable energy sources from July 15, 2012, through June 15, 2013.

Resolution No. 457-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121126 [Accept and Expend Grant - Encourage Arrest Policies and Enforcement of Protection Orders Program - $650,000]
Sponsor: Mayor
Resolution authorizing the Department on the Status of Women to retroactively accept and expend an extension grant in the amount of $650,000 through the United States Department of Justice's Office of Violence Against Women, Encourage Arrest Policies and Enforcement of Protection Orders Program, for grant period April 1, 2012, through March 31, 2014.

Resolution No. 458-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121127 [Wastewater Revenue Bonds Issuance - Public Utilities Commission - Not to Exceed $670,000,000]
Sponsor: Mayor
Resolution approving the issuance of wastewater revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco in aggregate principal amounts not to exceed $250,000,000 to refund outstanding wastewater revenue bonds pursuant to the Charter of the City and California Government Code, Sections 53580 et seq., and not to exceed $420,000,000 to finance capital projects benefiting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by voters on November 5, 2002, as Proposition E; affirming covenants contained in the indenture pursuant to which the wastewater revenue bonds are issued; authorizing the taking of appropriate actions in connection therewith; and related matters.
(Fiscal Impact)

Resolution No. 459-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121128 [Grant Application - 2012 U.S. Department of Housing and Urban Development Continuum of Care Program]
Sponsor: Mayor
Resolution approving the 2012 Grant Application for the United States Department of Housing and Urban Development Continuum of Care Program and fulfilling the San Francisco Board of Supervisors review and approval process for all annual or otherwise recurring grants of $5,000,000 or more.

Resolution No. 460-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121132 [Accept and Expend Grant - San Francisco Parks Alliance - $870,355]
Sponsor: Chiu
Resolution authorizing the Recreation and Park Department to accept and expend a grant of $870,355 from the San Francisco Parks Alliance for the design and construction of a playground in Sue Bierman Park.

Resolution No. 461-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121133 [Accept and Expend Grant - FY2012 Homeland Security Grant Program - $667,670]
Sponsor: Farrell

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a FY2012 Homeland Security Grant Program grant in the amount of $667,670 from the United States Department of Homeland Security, through the California Emergency Management Agency, for building and sustaining preparedness capabilities for the period of October 12, 2012, through May 31, 2014.

Resolution No. 462-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121138 [Lease Termination Agreement - Downtown Parking Corporation - 833 Mission Street]

Resolution authorizing the termination of the lease agreement with the Downtown Parking Corporation and authorizing the Director of Transportation to execute a Lease Termination Agreement for property located at 833 Mission Street that will expire on December 31, 2012. (Municipal Transportation Agency)

Resolution No. 464-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121134 [Permit Amendment - Outside Lands Music Festival - Eight Additional Years]
Sponsor: Mar

Resolution approving and authorizing an amendment to the Permit with Another Planet Entertainment for the production of the annual Outside Lands Music Festival to grant Another Planet Entertainment, LLC, eight additional years and increasing the capacity of the event to 75,000, providing for Another Planet Entertainment to pay the City increased Rent Payments, endow a gardener within the festival premises, and pay for materials and supplies to maintain the Polo Fields; making environmental findings; and ratifying prior actions.

Resolution No. 463-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee

120434 [Police Code - Amendments to Junk Dealer and Junk Gatherer Permit Process]
Sponsor: Cohen

Ordinance amending the San Francisco Police Code, Sections 974.1, 974.2, 974.4, 974.8, 974.9, 974.10-1, 974.11, 974.14-1, 974.14-2, 974.21, 974.22, 895, 2.26, 2.27, and repealing Sections 974.5, 974.6, 974.10-2, 974.23 and 896 through 898 to cause all existing junk dealer and junk gatherer permits to expire as of June 30, 2013, establish an annual permit for junk dealers with junk yards and a two-year permit for other junk dealers, provide for permit suspensions and revocations to remain in effect during any administrative appeal, amend the permit enforcement process, and update fees; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120880 **[Planning Code - Valencia Street Neighborhood Commercial Transit District]**
Sponsor: Campos

Ordinance amending the San Francisco Code, Section 726.52, of the Zoning Control Table, for the Valencia Street Neighborhood Commercial Transit District to permit a personal service use on the third story and above with a Conditional Use Authorization, and make environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120704 **[Disapproving Street Encroachment - 10 Niantic Avenue]**

Resolution upholding Department of Public Works' recommendation for disapproval and disapproving the application for a revocable encroachment permit to Lee Yun Ling & Cindy Zhou, for the occupancy of a portion of the public right-of-way for a new single family dwelling encroaching 3-feet into the public right-of-way at 10 Niantic Avenue (Assessor's Block No. 7178, Lot No. 001), under Article 15, Section 786.7 of the Public Works Code. (Public Works Department)

Supervisor Elsbernd, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to January 15, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

121089 **[Public Hearing to Acquire Temporary Construction Licenses for Various Real Properties by Eminent Domain for Central Subway/Third Street Light Rail Extension Project]**

Hearing of persons interested in or objecting to proposed Resolutions authorizing the acquisition of real properties commonly known as 1 Stockton Street #1 (File No. 121090), (Assessor's Parcel Block No. 0327, Lot No. 025); 1000-1032 Stockton Street #2 (File No. 121091), (Assessor's Parcel Block No. 0193, Lot No. 019); 1455 Stockton Street #3 (File No. 121092), (Assessor's Parcel Block No. 0130, Lot Nos. 001 and 040); 19 Stockton Street #4 (File No. 121093), (Assessor's Parcel Block No. 0327, Lot No. 005); 212 Stockton Street #5 (File No. 121094), (Assessor's Parcel Block No. 0309, Lot No. 011); 216 Stockton Street #6 (File No. 121095), (Assessor's Parcel Block No. 0309, Lot No. 013); 250-4th Street #7 (File No. 121096), (Assessor's Parcel Block No. 3733, Lot No. 008); 39 Stockton Street #8 (File No. 121097), (Assessor's Parcel Block No. 0327, Lot No. 004); 801 Market Street #9 (File No. 121098), (Assessor's Parcel Block No. 3705, Lot No. 048A); 930 Stockton Street #10 (File No. 121099), (Assessor's Parcel Block No. 0210, Lot No. 047); 950 Stockton Street #11 (File No. 121100), (Assessor's Parcel Block No. 0210A, Lot Nos. 002-103) by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

The President inquired as to whether any member of the public wished to address the Board relating to the acquisition of various properties as referenced in File Nos. 121090, 121091, 121092, 121093, 121094, 121095, 121096, 121097, 121098, 121099, and 121100. John Funghi (Real Estate Department), provided an overview of the project and responded to questions raised throughout the discussion. Walter Paulson, shared in song certain concerns with the Board. There were no other speakers in support of the project or the associated proposed acquisitions. Mark Seifert (1000-1032 Stockton Street and 212 Stockton Street); spoke in opposition to the project and the associated proposed acquisitions. John Funghi (Real Estate Department) provided a rebuttal and responded to questions raised throughout the discussion. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

121090 **[Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 1 Stockton Street]**
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 1 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 025, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Resolution No. 465-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121091 **[Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 1000-1032 Stockton Street]**
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 1000-1032 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0193, Lot No. 019, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Supervisor Campos, seconded by Supervisor Cohen, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121092 **[Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 1455 Stockton Street]**
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 1455 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0130, Lot Nos. 001 and 040, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Resolution No. 466-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121093 **[Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 19 Stockton Street]**

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 19 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 005, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Resolution No. 467-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121094 **[Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 212 Stockton Street]**

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 212 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0309, Lot No. 011, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Resolution No. 468-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121095 **[Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 216 Stockton Street]**

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 216 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0309, Lot No. 013, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Resolution No. 469-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121096 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 250-4th Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 250-4th Street, San Francisco, California, Assessor's Parcel Block No. 3733, Lot No. 008, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Resolution No. 470-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121097 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 39 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 39 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 004, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Resolution No. 471-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121098 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 801 Market Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel Block No. 3705, Lot No. 048A, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Supervisor Campos, seconded by Supervisor Cohen, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121099 **[Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 930 Stockton Street]**

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 930 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0210, Lot No. 047, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Supervisor Campos, seconded by Supervisor Cohen, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121100 **[Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 950 Stockton Street]**

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 950 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0210A, Lot Nos. 002-103, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Resolution No. 472-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:00 P.M.

121154 [Seniority Lottery]
Lottery to determine the seniority of the newly elected Members of the Board of Supervisors scheduled for the regularly scheduled Board Meeting of Tuesday, December 11, 2012, at 3:00 p.m., pursuant to Board Rule 6.21.

Rick Caldeira, Legislative Deputy Director, provided an overview of the process. Mr. Caldeira continued by reading the names of the Supervisors-elect. Derek Evans, Assistant Committee Clerk, placed the envelopes in the drum, locked the drum, and spun it around. One by one envelopes were drawn and names were read into the record as follows:

Supervisor-elect Norman Yee
Supervisor-elect London Breed

Therefore, beginning January 8, 2013, at 12 noon the following order will be the official order of seniority of all continuing and newly elected Board members:

Supervisor Carmen Chu
Supervisor David Campos
Supervisor Eric Mar
Supervisor John Avalos
Supervisor and current Board President David Chiu
Supervisor Mark Farrell
Supervisor Malia Cohen
Supervisor Scott Wiener
Supervisor Jane Kim
Supervisor Norman Yee
Supervisor London Breed

Mr. Caldeira concluded by indicating that seniority determines the order of polling Board Members for the assignment of offices, parking spaces, seats in this Legislative Chamber, and for the appointments to compensated and non-compensated commission positions. There were no further actions.

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Supervisor Elsbernd was noted absent at 3:45 p.m. and noted present at 3:55 p.m.
Supervisor Cohen was noted absent at 3:52 p.m. and noted present at 4:02 p.m.

Privilege of the Floor

Supervisor Cohen, seconded by Supervisor Elsbernd, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to State Assemblymember and Former Supervisor Fiona Ma in recognition of her accomplishments and continued community support. Supervisors Kim, Chiu, and Chu shared in this recognition.

Supervisor Elsbernd introduced, welcomed, and presented Certificates of Honor to Na Fianna Hurling Club and the Ulster Gaelic Football Club of the the San Francisco Gaelic Games Clubs in recognition of their accomplishments and continued community support.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Sam Adato's Drum Shop in recognition of their accomplishments and continued community support.

President Chiu presented a Certificate of Honor to Supervisor Olague in recognition of her distinguished service as a Member of the San Francisco Board of Supervisors. Supervisors Campos, Farrell, Mar, Avalos, Kim, Wiener, Cohen, Chu, and Elsbernd shared in her commendation.

President Chiu presented a Certificate of Honor to Supervisor Elsbernd in recognition of his distinguished service as a Member of the San Francisco Board of Supervisors. Supervisors Wiener, Farrell, Cohen, Kim, Campos, Chu, Mar, Olague, and Avalos shared in his commendation.

Supervisor Mar was noted absent at 5:04 p.m., and noted present at 5:30 p.m.
Supervisor Elsbernd was noted absent at 5:16 p.m., and noted present at 5:29 p.m.
Supervisor Farrell was noted absent at 5:35 p.m., and noted present at 5:43 p.m.
Supervisor Elsbernd was noted absent at 5:49 p.m., and noted present at 6:02 p.m.

SPECIAL ORDER 4:00 P.M.

121118 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - San Francisco Municipal Transportation Agency's Fell and Oak Streets Bikeways Project]

Hearing of persons interested in or objecting to the Planning Department's determination dated October 4, 2012, Case No. 2011.0836E, that the San Francisco Municipal Transportation Agency's Fell and Oak Streets Bikeways Project is exempt from environmental review under the California Environmental Quality Act (CEQA), Classes 1 and 4 (State CEQA Guidelines Sections 15301(c) 15304(h)). The proposed work involves removing parking lanes and adding bike lanes, as well as other related changes to Fell and Oak Streets between Baker and Scott Streets. (District 5) (Appellants: Mark Brennan, Howard Chabner, and Ted Loewenberg) (Filed November 2, 2012).

The President inquired as to whether any member of the public wished to address the Board. Mari Sessman, Ted Loewenberg, and Howard Chabner (Appellants); provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Walter Paulson; JJ Dillon; Male Speaker; Dan Cooley; Amil; Willit; Emil; Steve; Wendy Cook; Raheim Awhal; spoke in support of the appeal. Brett Bollinger (Planning Department) provided an overview of the decision of the Planning Department. Luis Montoya (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. Lawrence Lee; Elizabeth Stamp; Jason Henderson; Morgan Fitzgibbons; spoke in support of the project and in opposition to the appeal. Mark Brennan (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

121119 [Affirming the Exemption Determination - San Francisco Municipal Transportation Agency's Fell and Oak Streets Bikeways Project]

Motion affirming the determination by the Planning Department that the San Francisco Municipal Transportation Agency's (SFMTA) Fell and Oak Streets Bikeways Project is exempt from environmental review. (Clerk of the Board)

Motion No. M12-146

Supervisor Olague, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121120 [Reversing the Exemption Determination - San Francisco Municipal Transportation Agency's Fell and Oak Streets Bikeways Project]

Motion reversing the determination by the Planning Department that the San Francisco Municipal Transportation Agency's (SFMTA) Fell and Oak Streets Bikeways Project is exempt from environmental review.

Supervisor Olague, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121121 **[Preparation of Findings to Reverse the Exemption Determination - San Francisco Municipal Transportation Agency's Fell and Oak Streets Bikeways Project]**
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the San Francisco Municipal Transportation Agency's (SFMTA) Fell and Oak Streets Bikeways Project is exempt from environmental review.

Supervisor Olague, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMITTEE REPORTS

Recommendations of the Rules Committee

121141 **[Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Theodore Ellington]**
Sponsor: Mayor
Motion confirming the Mayor's appointment of Theodore Ellington to the Commission on Community Investment and Infrastructure, seat 1, for the unexpired portion of a four-year term ending November 3, 2016.

Motion No. M12-141

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121142 **[Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Marily Mondejar]**
Sponsor: Mayor
Motion confirming the Mayor's appointment of Marily Mondejar to the Commission on Community Investment and Infrastructure, seat 2, for the unexpired portion of a two-year term ending November 3, 2014.

Motion No. M12-142

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121143 **[Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Christine Johnson]**
Sponsor: Mayor
Motion confirming the Mayor's appointment of Christine Johnson to the Commission on Community Investment and Infrastructure, seat 3, for the unexpired portion of a four-year term ending November 3, 2016.

Motion No. M12-143

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121144 **[Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Mara Rosales]**
Sponsor: Mayor
Motion confirming the Mayor's appointment of Mara Rosales to the Commission on Community Investment and Infrastructure, seat 4, for the unexpired portion of a two-year term ending November 3, 2014.

Motion No. M12-144

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121145 **[Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Darshan Singh]**
Sponsor: Mayor
Motion confirming the Mayor's appointment of Darshan Singh to the Commission on Community Investment and Infrastructure, seat 5, for the unexpired portion of a four-year term ending November 3, 2016.

Motion No. M12-145

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Referred Without Recommendation from the Land Use and Economic Development Committee

121168 **[Street Encroachment - 54 Peralta Avenue]**
Sponsor: Chiu
Resolution granting revocable permission to Aquilina Family 2001 Revocable Trust to occupy a portion of the public right-of-way to remove and reconstruct a portion of a City owned and maintained retaining wall to construct a concrete driveway ramp, with accessible transition slopes to conform to the existing sidewalk grade, that will provide vehicular access to a proposed new residence with a garage at 54 Peralta Avenue (Assessor's Block No. 5512, Lot No. 029), conditioned upon the payment of an annual assessment fee of $215; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

Supervisor Campos, seconded by Supervisor Mar, moved that this Resolution be RE-REFERRED to the Land Use and Economic Development Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Supervisor Elsbernd was noted absent at 6:22 p.m., and noted present at 6:32 p.m.
Supervisor Farrell was noted absent at 6:23 p.m., and noted present at 6:33 p.m.
Supervisor Mar was noted absent at 6:28 p.m. for the remainder of the meeting.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Colleen Fernald; expressed concerns relating to political abuse of power.
Tom Gilberty; expressed various concerns relating to noise pollution.
Former Supervisor Bevan Dufty; regarding departing Supervisor Elsbernd.
Walter Paulson; shared in song certain concerns with the Board.
Female Speaker; regarding Sheriff Ross Mirkarimi.
Female Speaker; regarding departing Supervisor Olague.
Male Speaker; regarding departing Supervisor Olague.
Barbara Tengen; regarding departing Supervisor Olague.
Male Speaker; regarding the SF Public Library.
Ron Austin; regarding MTA service cuts.
Victor Riego; regarding drunk driving.
Male Speaker; regarding MTA service cuts.
Douglas Yep; regarding departing Supervisor Olague and other concerns.
Otto Duffy; expressed various concerns.
Former Supervisor Willie Kennedy; regarding the Successor Agency and departing Supervisors Elsbernd and Olague.
Male Speaker; expressed various concerns.
Male Speaker; regarding mobile food trucks.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

121148 [Final Map 6901 - 1190 Mission Street]
Motion approving Final Map 6901, a two Lot Subdivision and a 418 Residential Unit and two Commercial Unit Mixed-Use Condominium Project, located at 1190 Mission Street being a subdivision of Assessor's Block No. 3702, Lot No. 308, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M12-147

APPROVED

121171 [Apply for Grants - Anti Drug Abuse Program Allocation Funds]
Sponsor: Mayor
Resolution authorizing the Department of Children Youth and Their Families to apply for grants from the Board of State and Community Corrections.

Resolution No. 473-12

ADOPTED

121172 **[Commemoration of Roe V. Wade Anniversary]**
Sponsors: Campos; Cohen and Mar
Resolution commemorating the 40th anniversary of Roe v. Wade and commending the work of pro-choice advocates and service providers in the City and County of San Francisco.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 477-12

ADOPTED

121173 **[Commending Supervisor Sean R. Elsbernd]**
Sponsors: Chiu; Avalos, Campos, Chu, Cohen, Farrell, Kim, Mar, Olague and Wiener
Resolution commending and honoring Supervisor Sean R. Elsbernd for his distinguished service as a Supervisor of the City and County of San Francisco.

Resolution No. 450-12

ADOPTED

121174 **[Urging the United States Congress to Fund the Special Diabetes Program - 2014-2016]**
Sponsors: Cohen; Chiu and Mar
Resolution urging the United States Congress to renew and fully fund the Special Diabetes Program for 2014 to 2016.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 478-12

ADOPTED

121175 **[Multifamily Housing Revenue Bonds - 5800 Third Street]**
Sponsor: Cohen
Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $26,000,000 for the property currently known as 5800 Third Street, San Francisco, California 94124; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $26,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Resolution No. 474-12

ADOPTED

121176 [Multifamily Housing Revenue Bonds - 1100 Ocean Avenue]
Sponsor: Elsbernd
Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $20,000,000 for 1100 Ocean Avenue, (Assessor's Parcel No. 3180- (portion of) Lot No. 1, San Francisco, California 94112); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage bonds by the City in an aggregate principal amount not to exceed $20,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Resolution No. 475-12

ADOPTED

121177 [Approval of a 30-Day Extension for Planning Commission Review of Establishing the Fillmore Street Neighborhood Commercial District (File No. 120814)]
Sponsor: Olague
Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 120814) amending the San Francisco Planning Code by adding Section 744.1 to establish the Fillmore Street Neighborhood Commercial District along Fillmore Street between Bush and Fulton Streets, amending Section 151.1, a portion of Table 151.1, Section 263.20, and Section 607.1(f) to make conforming and other technical changes, amending Sheets ZN02 and ZN07 of the Zoning Map to rezone specified properties to the Fillmore Street Neighborhood Commercial District, and adopting environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Resolution No. 476-12

ADOPTED

121181 [Commending Supervisor Christina Olague]
Sponsors: Chiu; Avalos, Campos, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Resolution commending and honoring Supervisor Christina Olague for her commitment to public service as a Supervisor of the City and County of San Francisco.

Resolution No. 451-12

ADOPTED

121182 [Request for Proposals - Budget and Legislative Analysts Services]
Motion directing the Clerk of the Board to initiate a Request for Proposals process for Budget and Legislative Analyst services. (Clerk of the Board)

Motion No. M12-148

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener
Absent: 1 - Mar

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

121194 [Administrative Code - Water Enterprise Capital Cost Recovery Payment Surcharge Fund]
Sponsors: Mayor; Chu
Ordinance amending the San Francisco Administrative Code, Chapter 10, Article XIII, to create the Public Utilities Water Enterprise Capital Cost Recovery Payment Surcharge Fund.
(Fiscal Impact)

12/11/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/10/2013.

121195 [Appropriating $2,566,145 of General Fund Reserve to the Treasurer/Tax Collector - FY2012-2013]
Sponsors: Mayor; Chiu, Farrell and Avalos
Ordinance appropriating $2,566,145 from the General Fund Reserve to the Treasurer/Tax Collector for Gross Receipts Tax Implementation Planning for FY2012-2013.

12/11/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/10/2013.

121196 [Accept and Expend Grant - Energy Efficiency Program and Amendment to the Annual Salary Ordinance - $13,100,000]
Sponsor: Mayor
Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of $13,100,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to implement an Energy Use and Demand Reduction through Energy Efficiency Program and amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to reflect the addition of five grant funded positions (5 FTE) at the Department of the Environment, for a term from January 1, 2013, through December 31, 2014.

12/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121197 [Public Employment - Amending the Annual Salary Ordinance for Implementation of Proposition E and the Gross Receipts Tax]
Sponsors: Mayor; Chiu, Farrell and Avalos
Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to reflect the addition of 5 positions (2.5 FTE) in the Office of the Treasurer and Tax Collector for the implementation of Proposition E and the Gross Receipts Tax.
(Fiscal Impact)

12/11/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/10/2013.

121198 [Park Code - Recreation and Park Commission Hearing on Certain Permit Applications]
Sponsor: Avalos
Ordinance amending the San Francisco Park Code, Section 7.05, to require a Recreation and Park Commission hearing on any application for a permit to occupy 25% or more of the area of a park for more than 48 hours.

12/11/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/10/2013.

121199 [Planning Code - Sign Permits]
Sponsor: Chiu
Ordinance amending Planning Code, Section 604, to provide that changing the copy on a sign shall not be treated as a new sign; making environmental findings and findings of consistency with the General Plan.

12/11/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/10/2013.

121200 [Administrative Code - Contractor Prompt Payment for Public Works Construction and Professional Services Contracts]
Sponsors: Chu; Chiu, Campos and Cohen
Ordinance amending the San Francisco Administrative Code, by adding Sections 6.22(Q) and 6.42(F), to require all public works contractors to pay subcontractors within seven days of receipt of payment from the City.

12/11/12; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 1/10/2013.

Resolutions

121201 [Finding of Fiscal Feasibility - Moscone Center Expansion Project]
Sponsor: Mayor
Resolution finding that a project proposed by the City to expand and renovate the North and South exhibit halls of the Moscone Convention Center, including reconfiguring the North and South exhibit halls to create additional contiguous exhibit space, a new ballroom, new loading and building service space, and improvements to the landscaping, urban design, and public realm, within and adjacent to the North and South exhibit halls, is fiscally feasible and responsible under Administrative Code, Chapter 29.
(Fiscal Impact)

12/11/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/10/2013.

121202 [Accept and Expend Grant - FY2012 Emergency Management Performance Grant - $289,613]
Sponsor: Mayor
Resolution authorizing the Department of Emergency Management to retroactively accept and expend a FY2012 Emergency Management Performance Grant in the amount of $289,613 from the United States Department of Homeland Security, through the California Emergency Management Agency, for building and sustaining preparedness capabilities, for the period of July 1, 2012, to June 30, 2013.

12/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121203 [Prepayment and Collection Agreement - Bay Area Water Supply and Conservation Agency]
Sponsors: Mayor; Chu
Resolution approving the Prepayment and Collection Agreement between the Bay Area Water Supply and Conservation Agency and the Public Utilities Commission and authorizing the taking of appropriate actions in connection therewith, and related matters.

12/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121204 [Deed Restriction - 17th and Folsom Streets Park Project]
Sponsors: Campos; Kim
Resolution authorizing the Director of Real Estate to record a deed restriction against Assessor's Block No. 3571, Lot No. 032, for the 17th and Folsom Streets Park Project.

12/11/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

121205 [Approval of a 90 Day Extension for Planning Commission Review of Conversion of Student Housing Monitoring (File No. 120883)]
Sponsor: Kim
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 120883) amending the Planning Code, by adding Section 102.36.1, to establish an annual monitoring requirement for student housing conversions, to require a posting to announce that the report is available for public review, and to provide an enforcement mechanism for failure to submit the annual report, adopting findings, including environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

12/11/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

121206 [Extending the Single Room Occupancy Task Force - December 31, 2015]
Sponsors: Kim; Campos and Chiu
Resolution amending the Single Room Occupancy Task Force to extend it three years beyond the current sunset date of December 31, 2012, to December 31, 2015.

12/11/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

121207 [Performance Audit - San Francisco Housing Authority]
Sponsors: Campos; Avalos, Kim and Mar
Motion directing the Budget and Legislative Analyst to conduct a performance audit of the San Francisco Housing Authority as a priority.

12/11/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Requests for Hearing

121208 [Hearing - San Francisco Public Utilities Commission Tap Water Outreach Campaign]
Sponsor: Mar
Hearing on the San Francisco Public Utilities Commission Tap Water Outreach Campaign and the possible expansion of outdoor tap water
stations.

12/11/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

121209 [Hearing - Municipal Transportation Agency's Express Bus Service and Future Service Plans]
Sponsor: Mar
Hearing on the state of the Municipal Transportation Agency's express bus service and future service plans.

12/11/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

121183 [Encroachment, Public Service Easements and Vacations, Infrastructure - 8 Washington Street]

Ordinance approving an Encroachment Permit for San Francisco Waterfront Partners II, LLC, its successors and assigns, (collectively, "Developer") related to the construction and use of various public improvements affecting existing and future public right-of-ways on, under or adjacent to property located at 8 Washington Street/Seawall Lot 351, Assessor's Block No. 0168/Lot No. 058, Block No. 0171/Lot No. 069, and Block No. 0201/Lot Nos. 012-013 (including Seawall Lot 351) (the "8 Washington Development Site"), and portions of Washington Street, Drumm Street and The Embarcadero; accepting offers of public improvements for park and open space purposes among other uses on portions of the 8 Washington Development Site; ordering the summary vacation of certain public service easements benefitting various City departments located in, on or under portions of the 8 Washington Development Site, subject to conditions; accepting Department of Public Works Order; accepting and approving a relocated SFPUC Jackson Street sewer easement, a relocated SFPUC Drumm Street sewer easement, a new sewer easement across a portion of Seawall Lot 351, and a new easement for the SFPUC's underground vault structure located along The Embarcadero; approving an agreement with the Developer regarding coordination of the Project with SFPUC's facilities and North Shore to Channel Force Main Project; making environmental findings and findings of consistency with the City's General Plan and the eight priority policy findings of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance. (Port)

12/03/12; RECEIVED FROM DEPARTMENT.

12/11/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/10/2013.

PROPOSED RESOLUTIONS

121184 [Lease Agreement - Japan Center Garage Corporation - Japan Center Public Parking Garage - $1]

Resolution approving a lease agreement between the City and County of San Francisco and the City of San Francisco Japan Center Garage Corporation for the Japan Center Public Parking Garage, for an annual base rent of $1 plus surplus, with an initial term of 10 years with two 5-year options. (Municipal Transportation Agency)
(Fiscal Impact)

12/03/12; RECEIVED FROM DEPARTMENT.

12/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121185 [Lease Agreement - Uptown Parking Corporation - Sutter Stockton Public Parking Garage - $1]

Resolution approving a lease agreement between the City and County of San Francisco and the City of San Francisco Uptown Parking Corporation for the Sutter Stockton Public Parking Garage, for an annual base rent of $1 plus surplus, with an initial term of 10 years with two 5-year options. (Municipal Transportation Agency)

12/03/12; RECEIVED FROM DEPARTMENT.

12/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121186 [Feeder Agreement - BART]

Resolution retroactively approving the Feeder Agreement between the City and County of San Francisco and the Bay Area Rapid Transit District for payment for transfer trips, with a term from July 1, 2010, to June 30, 2020. (Municipal Transportation Agency)

12/03/12; RECEIVED FROM DEPARTMENT.

12/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121187 [Agreement - Use of Fast Pass® on BART]

Resolution retroactively approving the Special Transit Fare (Fast Pass®) Agreement between the City and County of San Francisco and the Bay Area Rapid Transit District, with a term from January 1, 2010, to June 30, 2014. (Municipal Transportation Agency)

12/03/12; RECEIVED FROM DEPARTMENT.

12/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

Thomas Westbrook – Supervisor Jane Kim
Russell Bradford – Supervisor Malia Cohen
Manuel "Spain" Rodriguez – Supervisor David Campos
Maureen Healy O'Sullivan – Supervisor Sean Elsbernd

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:50 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 15, 2013.

Angela Calvillo, Clerk of the Board

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